

# EXHIBIT K

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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE SOUTHERN DISTRICT OF NEW YORK

3 -----x

4 EASTERN PROFIT CORPORATION LIMITED,

5           Plaintiff/Counterclaim Defendant,           Case No.

6           -against-                                   18-cv-2185

7 STRATEGIC VISION US, LLC,                           (JGK)

8           Defendant/Counterclaim plaintiff.

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13                           Karin MAISTRELLO

14                           NEW YORK, NEW YORK

15                           AUGUST 23, 2019

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22   REPORTED BY:   KATHLEEN T. KEILTY  
                  C.S.R. NO. 000755

23   FILE NO.:       AD0867C

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<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE SOUTHERN DISTRICT OF NEW YORK 3 -----X 4 EASTERN PROFIT CORPORATION LIMITED, 5 Plaintiff/Counterclaim Defendant, Case No. 6 -against- 18-cv-2185 7 STRATEGIC VISION US, LLC, (JGK) 8 Defendant/Counterclaim Plaintiff. 9 -----X 10 August 23, 2019 11 11:46 a.m. 12 13 14 Deposition of NON-PARTY WITNESS KARIN 15 MAISTRELLO, taken pursuant to Subpoena, dated July 16 24, 2019, by Attorneys for Defendant/Counterclaim 17 Plaintiff, held at the Offices of Bryan Cave Leighton 18 Paisner, 1290 Avenue of the Americas, New York, New 19 York 10104, before Kathleen T. Keilty, a Certified 20 Shorthand Reporter and Notary Public within and for 21 the State of New York. 22 23 24 25</p> <p style="text-align: right;">Page 2</p>	<p>1 August 23, 2019 2 INDEX 3 WITNESS PAGE 4 KARIN MAISTRELLO 5 Examination by Mr. Greim 8 6 7 EXHIBITS 8 9 PLAINTIFF'S DESCRIPTION PAGE 10 1 Resignation email 44 11 12 2 PDF attachment to Maistrello 44 13 Exhibit 1 14 15 3 Subpoena issued to ACA Capital 55 16 Group Limited 17 18 4 Subpoena issued to Karin Maistrello 55 19 20 5 "Notice of Change of Company 79 21 Secretary and Director 22 (Appointment/Cessation,)" Bates 23 Nos. 42-44 24 25 6 Document printed off the Hong 88 Kong Corporate Registry database through the ICRIS Cyber Search Centre 26 27 7 Two-page document titled "Limited 89 Power of Attorney," Eastern 276-77 28 29 30</p> <p style="text-align: right;">Page 4</p>
<p>1 APPEARANCES: 2 3 ZEICHNER ELLMAN &amp; KRAUSE, LLP 4 Attorneys for Plaintiff/Counterclaim Defendant 5 35 Mason Street. 6 Greenwich, Connecticut 06830 7 8 BY: ZACHARY B. GRENDI, ESQ. 9 zgrendi@zeklaw.com. 10 203.489.1233 11 12 GRAVES GARRETT LLC 13 Attorneys for Defendant/Counterclaim Plaintiff 14 1100 Main Street, Suite 2700 15 Kansas City, Missouri 64105 16 17 BY: EDWARD D. GREIM, ESQ. 18 edgreim@gravesgarrett.com 19 816.256.3181 20 21 HODGSON RUSS LLP 22 Attorneys for the Deponent 23 605 Third Avenue 24 New York, New York 10158 25 26 BY: ERIN N. TESKE, ESQ. 27 eteske@hodgsonruss.com 28 646.218.7517 29 30 ALSO PRESENT: Yvette Wang Golden Spring NY Ltd. Michael Bennett Legal Videographer</p> <p style="text-align: right;">Page 3</p>	<p>1 August 23, 2019 2 3 INDEX 4 (Continued) 5 6 PRODUCTION REQUESTS 7 8 NUMBER DESCRIPTION PAGE LINE 9 10 1. Email accepting 45 15 11 Ms. Maistrello's resignation 12 from ACA 13 14 2. Electronic versions of email 46 11 15 and responses with regard to 16 Ms. Maistrello's resignation 17 from ACA 18 19 DIRECTIONS 20 21 NUMBER QUESTION PAGE LINE 22 23 1. Did you come here thinking 11 11 24 you were going to work for 25 Golden Spring or did you move here and then find Golden Spring as a place to work? 26 27 2. Any entities other than ACA? 12 21 28 29 3. What did Mr. Podhaskie tell 62 18 30 you was going on with ACA? 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</p> <p style="text-align: right;">Page 5</p>

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<div>1August 23, 2019</div> <div>2DIRECTIONS</div> <div>3(Continued)</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<table><tr><th>NUMBER</th><th>QUESTION</th><th>PAGE</th><th>LINE</th></tr><tr><td>6.</td><td>At the end of the conversation, did you tell Mr. Podhaskie that you were going to resign as an ACA director?</td><td>65</td><td>15</td></tr><tr><td>7.</td><td>So my question to you is, did you initiate that conversation or did Mr. Podhaskie?</td><td>67</td><td>7</td></tr><tr><td>8.</td><td>So in the conversation where Daniel said something was going on with ACA, did you come -- did you start that conversation with Podhaskie and come to ask him a question or did Podhaskie come to you?</td><td>68</td><td>21</td></tr><tr><td>9.</td><td>Did he give you advice in this discussion?</td><td>76</td><td>2</td></tr><tr><td>10.</td><td>And I'm not going to ask about legal advice right now. I'm just going to say, during the conversation, did Mr. Podhaskie advise you to do anything? Yes or no.</td><td>78</td><td>2</td></tr><tr><td>11.</td><td>Did you take any actions as a result of your discussion with Mr. Podhaskie?</td><td>78</td><td>16</td></tr><tr><td>12.</td><td>Was the topic of your discussion with Mr. Podhaskie the problems that were happening with ACA?</td><td>98</td><td>5</td></tr></table> <div>Page 6</div>	NUMBER	QUESTION	PAGE	LINE	6.	At the end of the conversation, did you tell Mr. Podhaskie that you were going to resign as an ACA director?	65	15	7.	So my question to you is, did you initiate that conversation or did Mr. Podhaskie?	67	7	8.	So in the conversation where Daniel said something was going on with ACA, did you come -- did you start that conversation with Podhaskie and come to ask him a question or did Podhaskie come to you?	68	21	9.	Did he give you advice in this discussion?	76	2	10.	And I'm not going to ask about legal advice right now. I'm just going to say, during the conversation, did Mr. Podhaskie advise you to do anything? Yes or no.	78	2	11.	Did you take any actions as a result of your discussion with Mr. Podhaskie?	78	16	12.	Was the topic of your discussion with Mr. Podhaskie the problems that were happening with ACA?	98	5	<div>11:48</div> <div>1counsel to please identify themselves.</div> <div>2MR. GREIM: Eddie Greim taking the</div> <div>3deposition, from Graves Garrett LLC,</div> <div>4representing Plaintiff Strategic Vision.</div> <div>5MS. TESKE: Good morning. Erin</div> <div>6Teske, on behalf of the deponent, from</div> <div>7Hodgson Russ.</div> <div>8MR. GRENDI: I'm Zach Grendi of</div> <div>9Zeichner Ellman &amp; Krause for Plaintiff</div> <div>10Eastern Profit.</div> <div>11THE VIDEOGRAPHER: Thank you all</div> <div>12very much.</div> <div>13Will the reporter please swear in</div> <div>14the witness.</div> <div>15WHEREUPON,</div> <div>16KARIN MAISTRELLO,</div> <div>17having been first duly sworn/affirmed</div> <div>18by a Notary Public within and for the</div> <div>19State of New York (Kathleen T. Keilty),</div> <div>20is examined and testifies as follows:</div> <div>21THE WITNESS: I swear.</div> <div>22EXAMINATION</div> <div>23BY MR. GREIM:</div> <div>24Q. Good morning, Ms. Maistrello.</div> <div>25A. Good morning.</div> <div>Page 8</div>
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<p>1 to relevancy. 11:49</p> <p>2 Q. Tell us about, if you could -- I'm just</p> <p>3 going to ask you some background questions. I take</p> <p>4 it you've got some sort of educational training.</p> <p>5 Could you just walk us through your, you know, post</p> <p>6 high school training that you've had.</p> <p>7 A. I started at university. I studied in</p> <p>8 Rome for three years, interpreting and translation.</p> <p>9 After that, I moved to China. I</p> <p>10 attended Nankai University. I got my first Master's</p> <p>11 Degree in Chinese literature and my second Master's</p> <p>12 Degree in linguistics and applied linguistics.</p> <p>13 Q. Okay. What about after that? Anything</p> <p>14 else?</p> <p>15 A. As far as studying? 11:50</p> <p>16 Q. Yes.</p> <p>17 A. Nothing else.</p> <p>18 Q. Okay. What was your -- so it sounds</p> <p>19 you like your last educational degree was from Nankai</p> <p>20 University?</p> <p>21 A. That is correct.</p> <p>22 Q. Let's just say starting with from that</p> <p>23 point forward, could you just tell us your employment</p> <p>24 history.</p> <p>25 A. After moving to the States, I was</p> <p style="text-align: right;">Page 10</p>	<p>1 A. Italian, German, French, English, 11:51</p> <p>2 Hungarian, Chinese.</p> <p>3 Q. Okay. Now, let's see, you said that</p> <p>4 you've been working for Golden Spring since</p> <p>5 February 2018?</p> <p>6 A. That's correct.</p> <p>7 Q. During that time, have you had any</p> <p>8 other jobs?</p> <p>9 A. No.</p> <p>10 Q. Have you been the director or officer</p> <p>11 of any other entity?</p> <p>12 A. Can I ask you to rephrase?</p> <p>13 Q. Sure.</p> <p>14 Since February of 2018, let's say from</p> <p>15 then to today, have you been a director or officer of 11:52</p> <p>16 any other entity?</p> <p>17 MS. TESKE: Object to the form.</p> <p>18 You can answer.</p> <p>19 A. I was director of ACA from January 1st</p> <p>20 to July 26th of 2019.</p> <p>21 Q. Any entities other than ACA?</p> <p>22 MS. TESKE: Object and direct the</p> <p>23 witness not to answer.</p> <p>24 MR. GREIM: All right.</p> <p>25 Q. What were your duties as a director of</p> <p style="text-align: right;">Page 12</p>
<p>1 employed by Golden Spring New York, and I've been 11:50</p> <p>2 working there since then.</p> <p>3 Q. Okay. Now when was that that you moved</p> <p>4 to the United States and started working for Golden</p> <p>5 Spring?</p> <p>6 A. I started working for Golden Spring in</p> <p>7 February 2018.</p> <p>8 Q. Is that also when you moved to the</p> <p>9 United States?</p> <p>10 A. I moved slightly earlier.</p> <p>11 Q. Did you come here thinking you were</p> <p>12 going to work for Golden Spring or did you move here</p> <p>13 and then find Golden Spring as a place to work?</p> <p>14 MR. GREIM: Object and direct the</p> <p>15 witness not to answer. 11:51</p> <p>16 What's the relevance?</p> <p>17 MR. GREIM: I am just trying to</p> <p>18 understand the witness's background.</p> <p>19 These are typical questions.</p> <p>20 MS. TESKE: I've given you some</p> <p>21 leeway, but none of this is relevant to</p> <p>22 the case.</p> <p>23 MR. GREIM: Okay.</p> <p>24 Q. So what languages are you proficient</p> <p>25 in?</p> <p style="text-align: right;">Page 11</p>	<p>1 ACA? 11:53</p> <p>2 A. I was director and I did not have any</p> <p>3 specific duty.</p> <p>4 Q. Oh, I forgot to ask you this before.</p> <p>5 Have you done any work for hire on the side?</p> <p>6 I asked you about where you've been</p> <p>7 employed. I asked you about being an officer or</p> <p>8 director. I'm going to go back to the same period.</p> <p>9 From February 2018 to today, have you done any other</p> <p>10 work on side for hire for any other client.</p> <p>11 MS. TESKE: I am going to direct</p> <p>12 the witness it's a yes or no question and</p> <p>13 that's it.</p> <p>14 A. No.</p> <p>15 Q. How did you to become a director of 11:54</p> <p>16 ACA?</p> <p>17 A. I was asked by William to join ACA and</p> <p>18 I gladly accepted.</p> <p>19 Q. Okay. William who?</p> <p>20 A. William Je, spelled J-e.</p> <p>21 Q. Did you know Mr. Je previously?</p> <p>22 A. Yes.</p> <p>23 Q. How did you know him?</p> <p>24 A. I was introduced by William -- to</p> <p>25 William by Mrs. Wang as a person of trust, and I met</p> <p style="text-align: right;">Page 13</p>

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<p>1 him several times. 11:54</p> <p>2 Q. You met him several times before he</p> <p>3 offered the directorship to you?</p> <p>4 A. That's correct.</p> <p>5 Q. Now, when you said Mrs. Wang or</p> <p>6 Ms. Wang, are you referring to Yvette Wang?</p> <p>7 A. Yes, I'm referring to her.</p> <p>8 Q. The person sitting at this table?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. When did Ms. Wang introduce you</p> <p>11 to Mr. Je?</p> <p>12 A. I don't remember.</p> <p>13 Q. Let me ask you this way. If you became</p> <p>14 a director on January 1, 2019, how long before that</p> <p>15 had you been introduced to Mr. Je by Ms. Wang? 11:55</p> <p>16 A. I would say several months.</p> <p>17 Q. Maybe here's another way to look at it.</p> <p>18 You came to the US or I guess you started with Golden</p> <p>19 Spring in February of 2018. How long after that time</p> <p>20 did Ms. Wang introduce you to Mr. Je?</p> <p>21 MS. TESKE: I object. Asked and</p> <p>22 answered.</p> <p>23 If you have a different answer go</p> <p>24 ahead and provide it.</p> <p>25 A. I really don't remember.</p> <p style="text-align: right;">Page 14</p>	<p>1 (Whereupon, the record is read.) 11:57</p> <p>2 MS. TESKE: Yeah, you can call the</p> <p>3 judge.</p> <p>4 MR. GREIM: All right. Let's go</p> <p>5 off the record for a second:</p> <p>6 THE VIDEOGRAPHER: We are off the</p> <p>7 record, 11:56 a.m.</p> <p>8 (Whereupon, there is a discussion off</p> <p>9 the record.)</p> <p>10 Whereupon, the following teleconference</p> <p>11 is held with the Hon. Debra Freeman:)</p> <p>12 MR. GREIM: So, your Honor, this</p> <p>13 is the issue. We have just really begun.</p> <p>14 I am laying the foundation of</p> <p>15 Ms. Maistrello coming on to ACA as a 12:02</p> <p>16 director. I've asked her if somebody</p> <p>17 invited her on. It was William Je. I've</p> <p>18 asked her who introduced her to William</p> <p>19 Je, it was Ms. Yvette Wang, and my</p> <p>20 question was, you know, who introduced</p> <p>21 you to Evette Wang or I think it was how</p> <p>22 did you meet Evette Wang and we got an</p> <p>23 instruction not to answer that question.</p> <p>24 And, your Honor, I'm just trying to lay</p> <p>25 the ground work.</p> <p style="text-align: right;">Page 16</p>
<p>1 Q. How is it that you came to meet 11:55</p> <p>2 Mrs. Wang?</p> <p>3 MS. TESKE: Object and direct the</p> <p>4 witness not to answer.</p> <p>5 MR. GREIM: On what basis?</p> <p>6 MS. TESKE: Judge Freeman was very</p> <p>7 specific about the lines of inquiry that</p> <p>8 you were entitled to pursue in this</p> <p>9 deposition, and this is way outside the</p> <p>10 bounds and I've given you lots of room.</p> <p>11 MR. GREIM: Okay. I'm afraid -- I</p> <p>12 hate to do this too early, but these are</p> <p>13 just foundational questions to a witness</p> <p>14 being able to explain things about ACA,</p> <p>15 about ACA's relationship to Eastern 11:56</p> <p>16 Profit. We know that Ms. Wang is serving</p> <p>17 as attorney in fact for Eastern Profit.</p> <p>18 If we can't ask this, I don't know -- I</p> <p>19 don't know really we can ask any</p> <p>20 questions. So I'm afraid we're going to</p> <p>21 have to dial up on this question.</p> <p>22 MS. TESKE: Can you repeat the</p> <p>23 question?</p> <p>24 MR. GREIM: I'll just ask the</p> <p>25 reporter to read back the question.</p> <p style="text-align: right;">Page 15</p>	<p>1 Remember, Yvette Wang is the 12:02</p> <p>2 Golden Spring person who is a -- the</p> <p>3 attorney in fact for Eastern Profit, and</p> <p>4 so I want to know how it is that</p> <p>5 Eastern -- an Eastern Profit person has</p> <p>6 introduced a director of ACA to ACA.</p> <p>7 MS. TESKE: Your Honor, this is</p> <p>8 Erin Teske. Good afternoon. I apologize</p> <p>9 for the call. We spoke for about -- I</p> <p>10 think for about 90 minutes of our</p> <p>11 conversation yesterday was about Karin</p> <p>12 Maistrello and the deposition and the</p> <p>13 scope of the documents and testimony</p> <p>14 requests that were in the subpoena to 12:03</p> <p>15 Ms. Maistrello, and at the end of that</p> <p>16 conversation you gave -- your Honor gave</p> <p>17 very explicit instructions that the two</p> <p>18 lines of inquiry that were permitted --</p> <p>19 to be permitted at this deposition were</p> <p>20 the loan from ACA to Eastern Profit and</p> <p>21 the relationship between ACA and Eastern</p> <p>22 Profit. And I've allowed Mr. Greim to</p> <p>23 ask a bunch of background questions about</p> <p>24 Ms. Maistrello, including, you know, from</p> <p>25 whom she accepted her position at ACA and</p> <p style="text-align: right;">Page 17</p>

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<p>1 how she met him. But her personal 12:03 2 relationship to Ms. Wang is completely 3 irrelevant to anything having to do with 4 this case, and Mr. Greim is on a fishing 5 expedition to learn whatever he can about 6 the associates of Mr. Guo and it is very 7 apparent. 8 MR. GREIM: Your Honor, I mean, 9 I -- first of all, I don't think there is 10 a -- I see Ms. Wang is in here -- I don't 11 think there is a personal relationship, 12 but I'm trying to -- I mean, I'll have 13 other questions about, you know, who she 14 spoke with while she was at ACA. I'll 15 want to lay the foundation for her 12:04 16 knowledge of what's going on with ACA, 17 that's not one of the topics, but I have 18 to do that to get to the two and then the 19 third disputed topic that I wrote the 20 letter on yesterday. So I'm sorry -- 21 MS. TESKE: And that's fine. I 22 don't object to questions that have to 23 with what Ms. Maistrello did in her role 24 at ACA. But her relationship to Ms. Wang 25 has nothing to do with that.</p> <p style="text-align: right;">Page 18</p>	<p>1 direct questions about the relationship 12:05 2 with Eastern Profit besides, you know, 3 whether you know Ms. Wang from some other 4 aspect of life? 5 MR. GREIM: Well, but, your Honor, 6 I don't think it is from some other 7 aspect of life. I haven't even been able 8 to -- I don't think they are friends from 9 the gym. I mean, I think that -- I mean, 10 first of all, Mrs. Wang is the CEO of 11 Golden Spring where Ms. Maistrello was 12 working. She is also the person who 13 acted for Eastern Profit, and if we can't 14 establish that Eastern Profit is making 15 recommendations for the directors of ACA, 12:06 16 which is I think what we're about to 17 get -- 18 THE COURT: What was the exact 19 question that was asked that was objected 20 to? 21 MR. GREIM: Here, I think we 22 better stop for a second. We'll give the 23 reporter a pause and I'll see if I can 24 read it to you. 25 THE COURT: Maybe the reporter can</p> <p style="text-align: right;">Page 20</p>
<p>1 MR. GREIM: Your Honor, Ms. Wang 12:04 2 is the one who introduced her to ACA. 3 MS. TESKE: That is so far removed 4 from what is relevant to what she did for 5 ACA and the loan between ACA and Eastern 6 Profit and the relationship between ACA 7 and Eastern Profit. 8 THE COURT: I'm sorry, the reason 9 it matters who introduced her to ACA is 10 what? 11 MR. GREIM: Because, your Honor, 12 the person -- we just learned the person 13 who introduced her to ACA is Yvette Wang. 14 She is the person who is alleged to have 15 been acting for Eastern Profit for most 12:05 16 of this case. So the relationship to ACA 17 and Eastern Profit is directly implicated 18 here. I mean -- 19 THE COURT: Then why don't you 20 start asking about the relationship 21 between ACA and Eastern Profit? 22 MR. GREIM: But, your Honor, this 23 is the first question I would ask. I 24 mean, remember, Eastern Profit only -- 25 THE COURT: Aren't there more</p> <p style="text-align: right;">Page 19</p>	<p>1 read it back. 12:06 2 MR. GREIM: Yeah, can you do that. 3 (Whereupon, the record is read.) 4 THE COURT: All right. 5 MS. TESKE: Again, I have no -- 6 THE COURT: Look. Look, I have 7 another call coming in. I'm going to say 8 this. An instruction not to answer is 9 inappropriate unless it is either to 10 protect a privilege or to enforce an 11 order of the court. I did issue a ruling 12 that there were appropriate subjects into 13 which I would allow inquiry. My ruling 14 was not meant to be -- oh, hold on one 15 moment 'cause I need to tell the other 12:07 16 people what to do. 17 My ruling was not meant to be so 18 limiting that questions that I'll call 19 background function questions or general 20 connection questions can't be asked. If 21 this is the person through whom the ties 22 between ACA and Eastern Profit are, then 23 an understanding of what that 24 relationship is between people 25 (construction noise) the relationship</p> <p style="text-align: right;">Page 21</p>

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<p>1 between (construction noise) can be 12:07  2 fleshed out. I'll allow -- I'm going to  3 allow that question to be answered, but  4 I'm also going to caution Mr. Greim that  5 if this is -- this is not intended, as I  6 said the other day on the phone, to be,  7 you know, whatever the situation or  8 whatever questions come into my head that  9 I think would be a good thing to know  10 gets answered because not every question  11 that comes into your head where you might  12 to know that because you think it's  13 curious and interesting and is going to  14 be tied to. Just keep it focused on the  15 relationship between these entities and 12:08  16 about this loan in question, as I  17 directed the other day.  18 I'm going to be pretty tied up  19 this afternoon with a settlement  20 conference, so it's going to be difficult  21 for me to field calls from you constantly  22 as you go. Both of you use some, you  23 know, reasonable judgment in formulating  24 questions and objecting to questions in  25 terms of (construction noise) the other</p> <p style="text-align: right;">Page 22</p>	<p>1 not clearly explained, and if he had 12:10  2 moved money to this company, somebody  3 would have noticed and if somebody would  4 have noticed, then he probably wouldn't  5 have been doing that, and it's a very  6 fudgy thing.  7 The only thing that I saw in there  8 that I thought was an interesting point  9 was that there had been an agreement  10 between the parties not to use Hong Kong  11 banks or Chinese banks based in Hong Kong  12 or something, I'm trying to remember -- I  13 also don't have the letter in front of  14 me -- as part of the contract because of  15 presumably some concerns about that, but 12:11  16 I'm not sure exactly what that translates  17 to, you know, what -- you know, why that  18 would mean that if ACA was helping  19 Mr. Guo move money in and around Hong  20 Kong banks or Chinese controlled banks,  21 why one thing would lead you to think  22 something of the other. It's still  23 pretty strained to me, but --  24 MS. TESKE: We will respond to  25 that, and in fact Strategic accepted that</p> <p style="text-align: right;">Page 24</p>
<p>1 day because if it's not relevant, that's 12:09  2 generally something you can raise later  3 on. You don't have to -- object at the  4 time, object to the form of the question,  5 instruct if it's privileged or if you are  6 really clear in your own mind that it  7 goes outside of my ruling.  8 I also -- so I'm going to allow  9 the question and I'm going to do it with  10 a caution to try to keep things focused  11 on (inaudible).  12 With respect to the letter that I  13 got which I'm sure is still an open  14 question, still subject to dispute, I saw  15 that there was no statement (construction 12:09  16 noise) are unable to move money in and  17 out of Hong Kong because that  18 (construction noise). I saw no clear  19 indication that despite a lack of  20 statement by him that would be the case  21 if he were in fact in default, and what I  22 did see was a little bit of the  23 attenuated side, where you say well, this  24 company would have been under close  25 scrutiny, why I'm not sure because it was</p> <p style="text-align: right;">Page 23</p>	<p>1 money from Hong Kong before the contract 12:11  2 was even signed.  3 MR. GREIM: Well --  4 MS. TESKE: But this is actually  5 irrelevant. We will respond and that  6 will be in our letter, but this is  7 actually, I don't think, necessarily  8 relevant for today, 'cause despite that I  9 was going to go ahead -- and this will be  10 more of an issue with respect to the  11 testimony elicited, if any, from Mr. Guo,  12 but I was going to go ahead and let  13 Ms. Maistrello answer some questions  14 about anything she knew about Mr. Guo's  15 funds in ACA. 12:12  16 THE COURT: Okay. All right.  17 Maybe you will not need me further.  18 MR. GREIM: I hope not. Your  19 Honor, I've got to flight to catch, so I  20 don't want to fool around here.  21 THE COURT: So stay focused. Stay  22 focused and try to be -- try to stay  23 focused on Eastern Profit, you know, the  24 payment to Strategic, you know, things  25 that are directly, you know, at issue in</p> <p style="text-align: right;">Page 25</p>

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<p>1 the defense that you're trying to raise 12:12</p> <p>2 here.</p> <p>3 MR. GREIM: And, your Honor, just</p> <p>4 to be clear, we're going to ask about her</p> <p>5 resignation as well, the thing that makes</p> <p>6 ACA not reachable.</p> <p>7 MS. TESKE: And I have no</p> <p>8 objection to this.</p> <p>9 MR. GREIM: Okay.</p> <p>10 THE COURT: All right, good.</p> <p>11 MR. GREIM: All right.</p> <p>12 THE COURT: Carry on, then.</p> <p>13 MR. GREIM: Thank you.</p> <p>14 MS. TESKE: Thank you.</p> <p>15 MR. GRENDI: Thank you, your 12:13</p> <p>16 Honor.</p> <p>17 THE COURT: You're welcome.</p> <p>18 (Whereupon, the teleconference</p> <p>19 with the Hon. Debra Freeman concludes.)</p> <p>20 THE VIDEOGRAPHER: We are back on</p> <p>21 the record at 12:13 p.m.</p> <p>22 (Whereupon, the record is read as</p> <p>23 follows:</p> <p>24 "Question: How is it that you came to</p> <p>25 meet Mrs. Wang?")</p> <p style="text-align: right;">Page 26</p>	<p>1 Q. Tell me what you remember Mr. Je saying 12:16</p> <p>2 to you about the offer.</p> <p>3 A. We didn't speak much. He just told me</p> <p>4 that he was interested in some business in the US,</p> <p>5 and he asked whether I wanted to join.</p> <p>6 Q. What did he say the business was?</p> <p>7 A. Fund investment.</p> <p>8 Q. Now did you have a background in fund</p> <p>9 investment?</p> <p>10 A. I do not.</p> <p>11 Q. Did you have any questions for Mr. Je</p> <p>12 about what this role would entail?</p> <p>13 A. No.</p> <p>14 Q. Why not?</p> <p>15 A. I trusted his judgment. 12:16</p> <p>16 Q. Why did you trust his judgment?</p> <p>17 MS. TESKE: Object to the form.</p> <p>18 You can answer. You can answer.</p> <p>19 A. I trust him, therefore, I trust his</p> <p>20 judgment.</p> <p>21 Q. Okay. I guess let me rephrase it.</p> <p>22 What is it about him that made you</p> <p>23 trust his judgement.</p> <p>24 MS. TESKE: Object to the form.</p> <p>25 You can answer.</p> <p style="text-align: right;">Page 28</p>
<p>1 A. I met her for the first time at a job 12:14</p> <p>2 interview and that's how we met.</p> <p>3 Q. Now, you said you met William Je</p> <p>4 several times before becoming a director.</p> <p>5 A. That's correct.</p> <p>6 Q. Did you understand when you were</p> <p>7 meeting him what his role was with ACA?</p> <p>8 A. We never spoke about ACA before.</p> <p>9 Q. But I presume that you did speak about</p> <p>10 ACA when he offered you a directorship; is that</p> <p>11 right?</p> <p>12 A. Briefly.</p> <p>13 Q. And was that discussion in person or</p> <p>14 over the phone?</p> <p>15 A. In person. 12:15</p> <p>16 Q. Where did that happen?</p> <p>17 A. That happened at our office.</p> <p>18 Q. I'm sorry. Who's office?</p> <p>19 A. Golden Spring New York's office.</p> <p>20 Q. Your testimony again is that it was</p> <p>21 several months -- well, actually let me ask you.</p> <p>22 When -- how long before January 1st,</p> <p>23 2019 did that discussion happen?</p> <p>24 MR. GRENDI: Object to the form.</p> <p>25 A. Probably a month before.</p> <p style="text-align: right;">Page 27</p>	<p>1 A. He was introduced to me by someone I 12:17</p> <p>2 trust and that's how it works for me, the person who</p> <p>3 introduced us trusted him and I got to trust him.</p> <p>4 Q. So did you tell him yes on the spot?</p> <p>5 A. I did.</p> <p>6 Q. Did you ask him what your duties would</p> <p>7 be?</p> <p>8 A. Briefly.</p> <p>9 Q. What did he say?</p> <p>10 A. Again, he was interested in some</p> <p>11 business in the US and was asking if I could help</p> <p>12 find some investors.</p> <p>13 Q. Okay.</p> <p>14 A. Some --</p> <p>15 Q. Go ahead. 12:17</p> <p>16 A. I'm sorry. Some projects to invest in.</p> <p>17 Q. So if I understand correctly, he told</p> <p>18 you that your duties would be finding projects for</p> <p>19 ACA to invest in?</p> <p>20 MS. TESKE: Object to the form.</p> <p>21 You can answer.</p> <p>22 A. Yes.</p> <p>23 Q. Did he say -- did he tell you what</p> <p>24 sorts of projects ACA invested in?</p> <p>25 A. No, he did not.</p> <p style="text-align: right;">Page 29</p>

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<p>1 Q. So, like, for example, construction 12:18 2 projects, renovation projects, did he give you any 3 kind of detail what he meant by projects? 4 A. Again, no, he did not. 5 Q. Is ACA a hedge fund? 6 A. I do not know. 7 Q. Did Mr. Je tell you who you would be 8 reporting to, if anyone, as a director? 9 A. No, he didn't. 10 Q. Did he tell you who else was involved 11 with the company? 12 A. No, he did not. 13 Q. Did he tell you if there were any other 14 directors? 15 A. No, he did not. 12:19 16 Q. Did he tell you whether he was a 17 director? 18 A. No, he did not. 19 Q. Did you have any concerns about working 20 for ACA? 21 A. No. 22 MS. TESKE: Object to the form. 23 You can answer. 24 A. No. 25 Q. When was the first time you heard of</p> <p style="text-align: right;">Page 30</p>	<p>1 Q. Did he refer you to any attorney to 12:20 2 advise you on that question? 3 A. No. 4 Q. Okay. Let's talk about your time with 5 ACA. First of all, as director, did you have an 6 office somewhere? 7 A. No, I did not. 8 Q. Did ACA have an office in the United 9 States anywhere? 10 A. I do not know. 11 Q. Between the time of your appointment 12 and the time that you are saying that you resigned, 13 did you do any work as a director of ACA? 14 A. No, I didn't. 15 Q. Did you find any projects for Mr. Je? 12:21 16 A. No, I didn't. 17 Q. Did you try to find projects for 18 Mr. Je? 19 A. No, I didn't. 20 Q. Did Mr. Je ever ask you why you were 21 not finding projects? 22 A. No. 23 Q. Did you ever talk to Mr. Je about your 24 role with ACA after that conversation? 25 MR. GRENDI: Object to the form.</p> <p style="text-align: right;">Page 32</p>
<p>1 ACA? 12:19 2 A. When he asked me to become director. 3 Q. Did you do any research to learn more 4 about what ACA was? 5 A. I did not. 6 Q. At any time after your discussion with 7 Mr. Je, did you do any research to determine what ACA 8 was? 9 A. No, I did not. 10 Q. Did you understand what jurisdiction 11 ACA was registered in? 12 MS. TESKE: Object to the form of 13 the question. 14 You can answer. 15 A. I don't answer it -- I'm sorry. I 12:20 16 didn't understand the question. 17 Q. Did Mr. Je tell you where ACA was 18 registered? 19 A. No. 20 Q. Did he tell you what country or state 21 had jurisdiction over ACA and its directors? 22 MS. TESKE: Object to the form -- 23 MR. GRENDI: Object to the form. 24 MS. TESKE: -- of the question. 25 A. No.</p> <p style="text-align: right;">Page 31</p>	<p>1 MS. TESKE: Object to the form. 12:22 2 You can answer. 3 A. No. 4 Q. Let's be clear. There was an 5 objection. I'm going to make sure that this is clear 6 for the record. 7 So is it your testimony that after the 8 in-person meeting where Mr. Je offered the 9 directorship to you, you never spoke with Mr. Je 10 again about your work as an ACA director? 11 A. That's correct. 12 Q. Okay. I'm going to broaden the 13 question now. 14 After the discussion with Mr. Je where 15 he made the offer to you, did you ever discuss your 12:22 16 work as an ACA director with any other person? 17 A. No, I didn't. 18 Q. Did you ever discuss it with Yvette 19 Wang? 20 A. I did not. 21 Q. Were you ever paid for your work as a 22 director? 23 A. No. 24 Q. Did you sign any document appointing 25 you as a director?</p> <p style="text-align: right;">Page 33</p>

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<p>1 A. No. 12:23</p> <p>2 Q. Well, do you know that you actually</p> <p>3 were appointed as a director?</p> <p>4 MS. TESKE: Object to the form of</p> <p>5 the question.</p> <p>6 You can answer.</p> <p>7 A. Yes.</p> <p>8 Q. How you do know?</p> <p>9 A. I might have answered wrongly the</p> <p>10 previous question. Can you rephrase the previous</p> <p>11 question, please, or reread it?</p> <p>12 Q. That's okay. I'll rephrase it.</p> <p>13 Did you ever -- I'll just ask you a new</p> <p>14 question, how about that?</p> <p>15 Did you ever sign anything accepting an 12:24</p> <p>16 appointment as a director?</p> <p>17 A. Yes, I did.</p> <p>18 Q. When did you do that?</p> <p>19 A. I don't remember.</p> <p>20 Q. Did you keep a copy of that document?</p> <p>21 A. I did not.</p> <p>22 Q. Do you know whether the thing that you</p> <p>23 signed was filed with any authority?</p> <p>24 MS. TESKE: Object to the form of</p> <p>25 the question.</p> <p style="text-align: right;">Page 34</p>	<p>1 Q. Now, when you say you remember being 12:25</p> <p>2 appointed on January 1, why do you remember that it</p> <p>3 was on that day --</p> <p>4 MS. TESKE: Objection.</p> <p>5 Q. That you were appointed?</p> <p>6 MS. TESKE: Object to the form of</p> <p>7 the question.</p> <p>8 You can answer the question.</p> <p>9 A. I remember the date, that's all.</p> <p>10 Q. Well, did something happen on</p> <p>11 January 1, 2019 that sticks in your memory?</p> <p>12 A. It's --</p> <p>13 MS. TESKE: Object to the form of</p> <p>14 the question.</p> <p>15 You can answer the question. 12:26</p> <p>16 A. It's the first day of the year, so</p> <p>17 that's why I remember it, probably.</p> <p>18 Q. Did someone tell you that that was</p> <p>19 going to be the effective date of your appointment?</p> <p>20 A. I don't remember.</p> <p>21 Q. Did the form that you signed say that</p> <p>22 was the effective date of your appointment?</p> <p>23 A. Yes.</p> <p>24 Q. When's the last time that you saw that</p> <p>25 form that you signed?</p> <p style="text-align: right;">Page 36</p>
<p>1 You can answer if you understand. 12:24</p> <p>2 A. I don't.</p> <p>3 Q. Let me ask you, then, what's your basis</p> <p>4 for believing that you were actually appointed as a</p> <p>5 director of ACA?</p> <p>6 A. I don't really understand the question.</p> <p>7 Q. So you're testifying today, you've</p> <p>8 testified already that you were appointed on</p> <p>9 January 1, 2019, as a director of ACA, correct?</p> <p>10 A. That's correct.</p> <p>11 Q. So why do you believe that you were</p> <p>12 actually appointed on January 1 or on any other day</p> <p>13 as a director of ACA?</p> <p>14 MS. TESKE: Object to the form.</p> <p>15 You can answer. 12:25</p> <p>16 A. Because I signed something.</p> <p>17 Q. Why do you believe the date was</p> <p>18 January 1 of 2019?</p> <p>19 A. Because I remember it.</p> <p>20 Q. You remember signing a document on</p> <p>21 January 1, 2019?</p> <p>22 A. Not signing the document on January 1</p> <p>23 but being appointed on January 1.</p> <p>24 Q. Okay. When did you sign the document?</p> <p>25 A. I don't remember.</p> <p style="text-align: right;">Page 35</p>	<p>1 A. I don't remember. 12:26</p> <p>2 Q. Did you review it before your testimony</p> <p>3 today?</p> <p>4 A. No, I did not.</p> <p>5 Q. Okay. Other than William Je, did you</p> <p>6 ever speak with anyone else at ACA?</p> <p>7 A. No, I didn't.</p> <p>8 Q. Were you aware that ACA had a corporate</p> <p>9 secretary?</p> <p>10 MS. TESKE: Object to the form.</p> <p>11 You can answer.</p> <p>12 A. No.</p> <p>13 Q. Did you ever receive a request in</p> <p>14 writing from anyone to do something as a director of</p> <p>15 ACA? 12:27</p> <p>16 A. No.</p> <p>17 Q. Did you ever receive a request verbally</p> <p>18 from anyone to do something as a director of ACA?</p> <p>19 A. No.</p> <p>20 Q. Have you ever notarized documents in</p> <p>21 your capacity as a director of ACA?</p> <p>22 MS. TESKE: Object to the form.</p> <p>23 MR. GRENDI: Object to the form.</p> <p>24 MS. TESKE: You can answer.</p> <p>25 A. I don't remember.</p> <p style="text-align: right;">Page 37</p>

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Karin Maistrello  
August 23, 2019

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<p>1 Q. Is it possible that you did? 12:28</p> <p>2 MS. TESKE: Object to the form.</p> <p>3 You can answer.</p> <p>4 A. I really don't remember.</p> <p>5 Q. And I ask that because I understand you</p> <p>6 are a notary, correct?</p> <p>7 A. That's correct.</p> <p>8 Q. I've seen documents that -- well, we've</p> <p>9 all seen documents that you've notarized, right?</p> <p>10 A. That's correct.</p> <p>11 Q. And so, my question is, did you do any</p> <p>12 of that notarization as one of your duties as a</p> <p>13 director of ACA?</p> <p>14 A. Again, I don't remember.</p> <p>15 Q. Did you ever review any sort of a 12:28</p> <p>16 booklet or a guide about what your duties and</p> <p>17 responsibilities would be as a director of ACA?</p> <p>18 A. No, I did not.</p> <p>19 Q. Did you ever acquaint yourself with the</p> <p>20 Hong Kong law that controls your duties and</p> <p>21 responsibilities as a director of ACA?</p> <p>22 MS. TESKE: Object to the form.</p> <p>23 MR. GRENDI: Object to the form.</p> <p>24 MS. TESKE: You can answer.</p> <p>25 A. I did not.</p> <p style="text-align: right;">Page 38</p>	<p>1 MS. TESKE: Object to the form. 12:30</p> <p>2 You can answer.</p> <p>3 A. I don't remember.</p> <p>4 Q. Was it in the last month?</p> <p>5 A. I really don't remember.</p> <p>6 Q. Well, we know you spoke with him about</p> <p>7 a month before January 1, 2019, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Did you ever speak with him after that</p> <p>10 time?</p> <p>11 A. When you say speak, you mean over the</p> <p>12 phone or face-to-face?</p> <p>13 Q. Let's start with over the phone. Have</p> <p>14 you spoken with William Je over the phone since the</p> <p>15 meeting in which he gave you an offer? 12:31</p> <p>16 A. No, I have not.</p> <p>17 Q. Did you speak with him in person since</p> <p>18 the meeting where he gave you the offer?</p> <p>19 A. I did.</p> <p>20 Q. When was that?</p> <p>21 A. I don't remember.</p> <p>22 Q. Was it after you had become a director?</p> <p>23 A. Yes.</p> <p>24 Q. How long after you became a director?</p> <p>25 A. I don't remember.</p> <p style="text-align: right;">Page 40</p>
<p>1 Q. Did you know that Hong Kong law applied 12:29</p> <p>2 to your duties and responsibilities as a director of</p> <p>3 ACA?</p> <p>4 MS. TESKE: Object to the form.</p> <p>5 MR. GRENDI: Object to the form.</p> <p>6 MS. TESKE: You can answer it.</p> <p>7 A. I did not.</p> <p>8 Q. Have you ever seen any corporate</p> <p>9 records of ACA other than the document you remember</p> <p>10 signing appointing you as director?</p> <p>11 A. I have not.</p> <p>12 Q. Have you ever seen a financial</p> <p>13 statement of ACA?</p> <p>14 A. I have not.</p> <p>15 Q. Do you know whether you have a right to 12:30</p> <p>16 vote or that you had a right to vote as a director of</p> <p>17 ACA?</p> <p>18 MS. TESKE: Object to the form.</p> <p>19 MR. GRENDI: Object to the form.</p> <p>20 A. I don't know.</p> <p>21 Q. Did you ever cast a vote as a director</p> <p>22 of ACA?</p> <p>23 A. I did not.</p> <p>24 Q. When was the last time you spoke with</p> <p>25 William Je?</p> <p style="text-align: right;">Page 39</p>	<p>1 Q. I'm going to try to narrow this down a 12:31</p> <p>2 little bit. This is normal in a deposition, people</p> <p>3 don't remember time, and we'll try a little bit to</p> <p>4 jog your memory, but we'll do our best.</p> <p>5 So was the last time or let me ask you</p> <p>6 this. Was the next time you spoke with William Je</p> <p>7 when it was cold weather outside? Do you remember</p> <p>8 being cold?</p> <p>9 MS. TESKE: Object to the form.</p> <p>10 A. I don't remember.</p> <p>11 MS. TESKE: Sorry. You can</p> <p>12 answer.</p> <p>13 Q. Where was the meeting? You said you</p> <p>14 spoke with him in person. Where did you speak with</p> <p>15 him in person? 12:32</p> <p>16 A. It might have been at our office.</p> <p>17 Q. And this is at the Golden Spring</p> <p>18 office?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. You said it might have been. If</p> <p>21 it wasn't there, where would it have been?</p> <p>22 MS. TESKE: Object to the form of</p> <p>23 the question.</p> <p>24 A. It was -- it was there, yes.</p> <p>25 Q. So what do you remember about that</p> <p style="text-align: right;">Page 41</p>

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<p>1 discussion with Mr. Je? 12:32</p> <p>2 A. We didn't have any discussion. I met</p> <p>3 him. We said hi, we'd greet, how are you, that was</p> <p>4 it.</p> <p>5 Q. So there was no discussion about ACA.</p> <p>6 A. Not at all.</p> <p>7 Q. Okay. Let's go forward from there.</p> <p>8 When was the next time that you met Mr. Je in person?</p> <p>9 A. Again, I -- I don't remember.</p> <p>10 Q. Was there a next time?</p> <p>11 A. I probably met him a couple of times in</p> <p>12 2019, but I do not remember when.</p> <p>13 Q. Okay. When you met him, any of the</p> <p>14 times that you met him, did you discuss Eastern</p> <p>15 Profit? 12:33</p> <p>16 A. No.</p> <p>17 Q. Did you discuss this case?</p> <p>18 A. No.</p> <p>19 Q. Did you discuss Strategic Vision?</p> <p>20 A. No.</p> <p>21 Q. What did you discuss with him, if you</p> <p>22 can remember?</p> <p>23 MS. TESKE: Object to the form.</p> <p>24 You can answer.</p> <p>25 A. We -- again, we did not discuss</p> <p style="text-align: right;">Page 42</p>	<p>1 Q. Can I please see it? 12:35</p> <p>2 A. Absolutely.</p> <p>3 MS. TESKE: Can we take a short</p> <p>4 break, go off the record.</p> <p>5 MR. GREIM: Sure.</p> <p>6 THE VIDEOGRAPHER: We are off the</p> <p>7 record, 12:34 p.m.</p> <p>8 (Whereupon, a recess is taken.)</p> <p>9 (Whereupon, Maistrello Exhibit 1,</p> <p>10 resignation email, is marked for</p> <p>11 identification, as of this date.)</p> <p>12 (Whereupon, Maistrello Exhibit 2, PDF</p> <p>13 attachment to Maistrello Exhibit 1, is marked</p> <p>14 for identification, as of this date.)</p> <p>15 THE VIDEOGRAPHER: We are back on 12:38</p> <p>16 the record, 12:37 p.m.</p> <p>17 BY MR. GREIM:</p> <p>18 Q. Okay. Ms. Maistrello, what I've marked</p> <p>19 here are the documents you gave me, Plaintiff</p> <p>20 Exhibit 1 and Plaintiff Exhibit -- I'm sorry,</p> <p>21 Maistrello Exhibit 1 and Maistrello Exhibit 2.</p> <p>22 Is Exhibit 1 the email by which you</p> <p>23 testify you forwarded your resignation to William Je?</p> <p>24 A. Yes, it is.</p> <p>25 Q. And is Exhibit 2 the PDF attachment to</p> <p style="text-align: right;">Page 44</p>
<p>1 anything. We just greeted each other, how are you, 12:33</p> <p>2 and that was it.</p> <p>3 Q. Okay. So far we've been talking about</p> <p>4 in-person discussions. Before we move on, can you</p> <p>5 remember any other in-person discussions that you had</p> <p>6 with William Je in 2019?</p> <p>7 MS. TESKE: Object to the form.</p> <p>8 A. No.</p> <p>9 MS. TESKE: You can answer.</p> <p>10 Q. Okay. Now we'll move to emails or</p> <p>11 other written communications or texts, okay?</p> <p>12 A. Mm-hmm.</p> <p>13 Q. Have you had any emails or texts or</p> <p>14 other written communications with William Je in 2019? 12:34</p> <p>15 A. Yes.</p> <p>16 Q. When?</p> <p>17 A. One email on July 26th when I sent my</p> <p>18 resignation letter.</p> <p>19 Q. Did he respond to that email?</p> <p>20 A. Yes, he did.</p> <p>21 Q. What was his response?</p> <p>22 A. He accepted the document.</p> <p>23 Q. Did you bring a copy of that with you</p> <p>24 here today?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 43</p>	<p>1 Exhibit 1. 12:39</p> <p>2 A. It is.</p> <p>3 Q. Do you have a copy of them in front of</p> <p>4 you still --</p> <p>5 A. Yes.</p> <p>6 Q. -- or you gave me your only copy?</p> <p>7 A. I do.</p> <p>8 Q. Oh, you do.</p> <p>9 Now, is it your testimony that Mr. Je</p> <p>10 responded and said that he accepted it?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Did you bring that email with</p> <p>13 you?</p> <p>14 A. I did not.</p> <p>15 Q. Okay. When did he -- I'd ask you to 12:39</p> <p>16 produce that afterwards.</p> <p>17 A. Mm-hmm.</p> <p>18 Q. When did he send that to you?</p> <p>19 A. I believe right afterwards.</p> <p>20 Q. Did you understand that he was</p> <p>21 expecting your email?</p> <p>22 A. Yes.</p> <p>23 Q. How did you understand that he was</p> <p>24 expecting your email?</p> <p>25 A. Before this email, I wrote an email</p> <p style="text-align: right;">Page 45</p>

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<p>1 saying that I would like to resign, so he was 12:39 2 definitely expecting it. 3 Q. When did you write that email? 4 A. On the same day, so July 26th. 5 Q. Okay. At what time? 6 A. I don't remember. 7 Q. Do you have a copy of that email still? 8 A. I do. 9 Q. I would like to ask that you produce 10 that. 11 And I'll say it on the record now, 12 we'll talk about it because this is really something 13 for me and your counsel, but I would like, if I 14 could, to have the electronic version of the emails 15 and responses. 12:40 16 MS. TESKE: Follow up with me, if 17 you could. I'm taking notes, but just in 18 case, just follow up with me in an email 19 after. 20 MR. GREIM: Very good. 21 Q. So when you told Mr. Je, you would like 22 to resign in the prior email that we don't have with 23 us here today, what was his response? 24 MS. TESKE: Object to the form. 25 But you can answer.</p> <p style="text-align: right;">Page 46</p>	<p>1 highlighted in plaintiff Exhibit 1. Do you see that? 12:42 2 A. I do. 3 Q. Why is that? 4 A. 'Cause when I did the search in my 5 email everything that comes with that "William" gets 6 highlighted. 7 Q. When you did that search, how many 8 emails with William Je did you find in your inbox? 9 MS. TESKE: Object to the form. 10 A. I don't know. 11 Q. One or two or more than that? 12 MS. TESKE: Object to the form. 13 A. I really don't know. 14 Q. Were they all listed together there 15 when you ran your search? 12:42 16 MS. TESKE: Object to the form. 17 A. By typing William, all the emails with 18 "William" come up but not necessarily this William. 19 Q. Who drafted the resignation letter? 20 A. William did. 21 Q. Did he send this to you by email? 22 A. He did. 23 Q. Is that your signature? And I'm 24 directing you now to Exhibit 2. Is that your 25 signature on the line?</p> <p style="text-align: right;">Page 48</p>
<p>1 A. Okay. 12:41 2 Q. Is that literally what the email said? 3 A. I don't remember literally, but that 4 was definitely the meaning. 5 Q. Did he tell you that a new director 6 would need to be appointed to fill your place? 7 A. No. 8 MS. TESKE: Object to the form. 9 Q. Do you know whether a new director 10 needs to be appointed to take your place? 11 A. No, I don't. 12 Q. Are you aware of any other directors or 13 officers of ACA who are in the United States? 14 A. No, I'm not. 15 Q. How often does Mr. Je come to the 12:41 16 United States? 17 MS. TESKE: Object to the form. 18 Answer if you know. 19 A. I don't know. 20 Q. Your testimony is that you've met him 21 in person several times, though, in 2019? 22 A. Yes. 23 MS. TESKE: Object to the form, 24 but go ahead. 25 Q. I notice that the name William is</p> <p style="text-align: right;">Page 47</p>	<p>1 A. Yes, it is. 12:43 2 Q. Did you review this document before you 3 signed it? 4 A. Yes, I did. 5 Q. Did you make any changes to it? 6 A. I did not. 7 Q. Do you know whether Mr. Je took any 8 steps, any further steps to make your resignation 9 effective? 10 MS. TESKE: Object to the form. 11 You can answer. 12 A. I don't know. 13 Q. Do you know whether he filed this with 14 the requisite authorities in Hong Kong? 15 MS. TESKE: Object to the form. 12:44 16 You can answer. 17 A. I don't know. 18 Q. Did -- have you asked Mr. Je if he has 19 taken any steps with your resignation letter? 20 A. I have not. 21 Q. Do you know whether under either Hong 22 Kong law or the bylaws and formation documents of the 23 company you have effectively resigned -- 24 MS. TESKE: Object. 25 Q. -- from ACA?</p> <p style="text-align: right;">Page 49</p>

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<p>1 MS. TESKE: Object to the form. 12:45</p> <p>2 A. I don't know.</p> <p>3 Q. Has anyone advised you that you have</p> <p>4 actually and effectively resigned as a director of</p> <p>5 ACA?</p> <p>6 MS. TESKE: Object to the form.</p> <p>7 And you can answer yes or no, but</p> <p>8 if that -- answer yes or no.</p> <p>9 A. No.</p> <p>10 Q. So do you know whether you are still a</p> <p>11 director of ACA?</p> <p>12 MS. TESKE: Object to the form.</p> <p>13 You can answer.</p> <p>14 A. Yes.</p> <p>15 Q. Okay, I see. And your belief is that 12:45</p> <p>16 you are no longer a director of ACA, correct?</p> <p>17 A. That's correct.</p> <p>18 Q. And what's the basis of that belief?</p> <p>19 MS. TESKE: Object to the form.</p> <p>20 You can answer.</p> <p>21 A. My resignation letter.</p> <p>22 Q. Has anyone told you that this</p> <p>23 resignation letter would be sufficient to resign as a</p> <p>24 director of ACA?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 50</p>	<p>1 Yvette Wang? 12:47</p> <p>2 A. I did not.</p> <p>3 Q. Did you discuss any subpoena with</p> <p>4 Yvette Wang?</p> <p>5 A. I did not.</p> <p>6 Q. How often do you see Yvette Wang?</p> <p>7 MS. TESKE: Object to the form of</p> <p>8 the question. Object on relevancy</p> <p>9 grounds.</p> <p>10 You can answer.</p> <p>11 A. Every day.</p> <p>12 Q. How often do you email with Yvette</p> <p>13 Wang?</p> <p>14 MS. TESKE: Object to the form.</p> <p>15 Object as beyond the scope of Judge 12:48</p> <p>16 Freeman's directives.</p> <p>17 You can answer.</p> <p>18 A. I don't know.</p> <p>19 Q. Have you ever seen an organizational</p> <p>20 chart for ACA?</p> <p>21 A. I have not.</p> <p>22 Q. Do you know whether Yvette Wang or Guo</p> <p>23 Wengui have any role with ACA?</p> <p>24 A. I do not.</p> <p>25 Q. Have you ever discussed ACA Yvette</p> <p style="text-align: right;">Page 52</p>
<p>1 Q. Who told you that? 12:45</p> <p>2 A. William.</p> <p>3 Q. When did he tell you that?</p> <p>4 A. By drafting the letter.</p> <p>5 Q. Did he tell you that over the</p> <p>6 telephone?</p> <p>7 A. No.</p> <p>8 Q. Did he tell you that in person?</p> <p>9 A. No.</p> <p>10 Q. So it was your assumption that -- I</p> <p>11 don't want to put words in your mouth.</p> <p>12 Other than by sending you the letter,</p> <p>13 did William Je make any other statements to you that</p> <p>14 made you believe that signing the letter would be</p> <p>15 effective to resign from ACA? 12:46</p> <p>16 MS. TESKE: Object to the form.</p> <p>17 You can answer.</p> <p>18 A. He did not.</p> <p>19 Q. Did you discuss your resignation from</p> <p>20 ACA with any person other than William Je?</p> <p>21 A. I did not.</p> <p>22 Q. Did you discuss your resignation from</p> <p>23 ACA with Yvette Wang?</p> <p>24 A. I did not.</p> <p>25 Q. Did you discuss this deposition with</p> <p style="text-align: right;">Page 51</p>	<p>1 Wang? 12:49</p> <p>2 A. I have not.</p> <p>3 Q. Do you know whether ACA had any parent</p> <p>4 companies or subsidiaries?</p> <p>5 A. I don't know.</p> <p>6 Q. Do you know whether ACA had consulting</p> <p>7 agreements with any other entity?</p> <p>8 MS. TESKE: Object to the form.</p> <p>9 A. I don't know.</p> <p>10 Q. Do you know if it had a consulting</p> <p>11 agreement with Eastern Profit?</p> <p>12 MS. TESKE: Object to the form.</p> <p>13 You can answer.</p> <p>14 A. I don't know.</p> <p>15 Q. Do you know if it had a consulting 12:50</p> <p>16 agreement with Golden Spring?</p> <p>17 A. I don't know.</p> <p>18 Q. Have you ever heard of Serena Hon?</p> <p>19 MS. TESKE: Object to the form of</p> <p>20 the question. Beyond the scope of Judge</p> <p>21 Freeman's directives.</p> <p>22 You can you can answer yes or no.</p> <p>23 A. No.</p> <p>24 Q. Have you ever heard of an entity called</p> <p>25 Eastern Profit?</p> <p style="text-align: right;">Page 53</p>

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<p>1 A. I have not. 12:51</p> <p>2 Q. So sitting here today, you can't tell</p> <p>3 us anything about Eastern Profit; is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. You don't know what it does?</p> <p>6 A. I have no idea.</p> <p>7 Q. Did you realize that we're here in the</p> <p>8 case of Eastern Profit versus Strategic Vision?</p> <p>9 MS. TESKE: Object to the form.</p> <p>10 You can answer.</p> <p>11 A. Yes, I did.</p> <p>12 Q. So other than hearing that it's in the</p> <p>13 title of the case, you've never heard of Eastern</p> <p>14 Profit?</p> <p>15 A. I have not. 12:51</p> <p>16 Q. Have you ever heard of Strategic</p> <p>17 Vision?</p> <p>18 A. I have not.</p> <p>19 Q. And you understand it's in the title of</p> <p>20 the case that we're here under, correct?</p> <p>21 A. That's correct.</p> <p>22 Q. So you've never spoken to Yvette Wang</p> <p>23 about Strategic Vision?</p> <p>24 A. No, I have not.</p> <p>25 Q. You've never spoken to Yvette Wang</p> <p style="text-align: right;">Page 54</p>	<p>1 are a director? 12:54</p> <p>2 MS. TESKE: Object to the form.</p> <p>3 A. Can you please ask it again.</p> <p>4 Q. Is ACA Capital Group Limited the</p> <p>5 official name of the entity of which you are a</p> <p>6 director?</p> <p>7 MS. TESKE: Same objection.</p> <p>8 You can answer.</p> <p>9 A. I am not sure.</p> <p>10 Q. So you'll see the first two pages are a</p> <p>11 notice of subpoena.</p> <p>12 A. Mm-hmm.</p> <p>13 Q. If you turn to page 3, you'll see the</p> <p>14 subpoena itself. Do you see that?</p> <p>15 A. I do. 12:55</p> <p>16 MS. TESKE: Object to the form.</p> <p>17 You can answer.</p> <p>18 Q. And do you see about a quarter of the</p> <p>19 way down it says "To"?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And what does it say on that</p> <p>22 line, could you read that, please?</p> <p>23 A. "ACA Capital Group Limited to be served</p> <p>24 to its director, Karin Maistrello 17 Gifford</p> <p>25 Apartment 5F, Jersey City, New Jersey, 07304."</p> <p style="text-align: right;">Page 56</p>
<p>1 about Eastern Profit? 12:52</p> <p>2 A. No, I have not.</p> <p>3 (Whereupon, Maistrello Exhibit 3,</p> <p>4 subpoena issued to ACA Capital Group Limited,</p> <p>5 is marked for identification, as of this</p> <p>6 date.)</p> <p>7 (Whereupon, Maistrello Exhibit 4,</p> <p>8 subpoena issued to Karin Maistrello, is marked</p> <p>9 for identification, as of this date.)</p> <p>10 Q. I'm going to hand you what we're</p> <p>11 marking as Exhibits 3 and 4.</p> <p>12 Please take a look at Exhibit 3.</p> <p>13 A. Which one is that?</p> <p>14 MR. GRENDI: Which one is that,</p> <p>15 they look the same. 12:54</p> <p>16 MR. GREIM: They're not. You'll</p> <p>17 see it's a bit different.</p> <p>18 MS. TESKE: Which one is 3?</p> <p>19 MR. GREIM: Exhibit 3 is the ACA.</p> <p>20 MS. TESKE: Thank you.</p> <p>21 Q. So do you see that Exhibit 3 is a</p> <p>22 subpoena to ACA Capital Group Limited?</p> <p>23 A. Mm-hmm, yes.</p> <p>24 Q. By the way, is ACA Capital Group</p> <p>25 Limited the official name of the entity of which you</p> <p style="text-align: right;">Page 55</p>	<p>1 Q. Is that your address? 12:55</p> <p>2 A. It is.</p> <p>3 Q. And were you served with this subpoena</p> <p>4 at that address?</p> <p>5 MS. TESKE: Object to the form.</p> <p>6 You can answer.</p> <p>7 A. Yes.</p> <p>8 Q. What did you do after you were served</p> <p>9 with this subpoena?</p> <p>10 MS. TESKE: Object if the form.</p> <p>11 You can answer it.</p> <p>12 A. I gave it to our lawyer.</p> <p>13 Q. And was that Ms. Teske sitting here</p> <p>14 next to you?</p> <p>15 A. It was not. 12:56</p> <p>16 Q. Who was that?</p> <p>17 A. Daniel Podhaskie.</p> <p>18 Q. When you say "our lawyer," do you mean</p> <p>19 Golden Spring's lawyer?</p> <p>20 A. Golden Spring's lawyer.</p> <p>21 Q. Now, don't -- I'm not going to ask you</p> <p>22 for the content of your discussion. My only question</p> <p>23 is, did you ask Mr. Podhaskie for legal advice?</p> <p>24 A. I asked him --</p> <p>25 MS. TESKE: No. Whoa, whoa, whoa,</p> <p style="text-align: right;">Page 57</p>

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<p>1           whoa. 12:56</p> <p>2           MR. GRENDI: Object. Yes or no, yeah.</p> <p>3           Q. Yes or no. It's a yes or no answer.</p> <p>4           MS. TESKE: If you thought you</p> <p>5           were seeking legal advice, say yes. If</p> <p>6           not, you can say no.</p> <p>7           A. Then no.</p> <p>8           Q. All right. Then what did you discuss</p> <p>9           with him?</p> <p>10          A. I asked him what should I do with</p> <p>11          these.</p> <p>12          Q. And what did he say?</p> <p>13          MS. TESKE: No, no, no, no, no.</p> <p>14          MR. GRENDI: Yeah.</p> <p>15          MS. TESKE: That sounds like -- 12:57</p> <p>16          MR. GRENDI: Misunderstanding.</p> <p>17          MS. TESKE: No. That's sounds</p> <p>18          like a misunderstanding, so I'm going to</p> <p>19          direct the witness not to answer.</p> <p>20          MR. GREIM: Okay.</p> <p>21          Q. What did you do with these after you</p> <p>22          showed them to Mr. Podhaskie?</p> <p>23          A. Nothing.</p> <p>24          Q. I'm sorry. Did you give them to him or</p> <p>25          did you keep them?</p> <p style="text-align: right;">Page 58</p>	<p>1           You can answer. 12:58</p> <p>2           A. Yes. I believe so.</p> <p>3           Q. So do you recall receiving two</p> <p>4           subpoenas, one for you, Karin Maistrello and the</p> <p>5           other for ACA to be served on you?</p> <p>6           MS. TESKE: Object to the form.</p> <p>7           You can answer.</p> <p>8           A. Yes.</p> <p>9           Q. And when you said that you gave them to</p> <p>10          Mr. Podhaskie. Did you give him both subpoenas?</p> <p>11          A. Yes.</p> <p>12          Q. And you didn't keep a copy of either</p> <p>13          subpoena, correct?</p> <p>14          A. Correct.</p> <p>15          Q. Did you -- you'll see that on the back 12:59</p> <p>16          of the one that's addressed to you, this is</p> <p>17          Exhibit 4, if you look, there's an Exhibit A. Do you</p> <p>18          see it lists about eight different document items?</p> <p>19          A. Yes.</p> <p>20          Q. Did you take any steps to search for</p> <p>21          these documents?</p> <p>22          MS. TESKE: Object to the form.</p> <p>23          You can answer.</p> <p>24          A. No.</p> <p>25          Q. Let me ask you this. When was the</p> <p style="text-align: right;">Page 60</p>
<p>1           A. I gave them to him. 12:57</p> <p>2           Q. Did you keep a copy for yourself?</p> <p>3           A. I did not.</p> <p>4           Q. And just to be clear, let's also take a</p> <p>5           look at Exhibit 4. Do you recognize Exhibit 4?</p> <p>6           A. I do not.</p> <p>7           Q. Okay. You'll see that under where it</p> <p>8           says, "Please take notice," do you see that it says</p> <p>9           that "The defendant/counterclaim plaintiff shall</p> <p>10          cause the attached subpoena directed to nonparty</p> <p>11          Karin Maistrello to be served after service of this</p> <p>12          notice." Do you see that?</p> <p>13          A. Yes, I do.</p> <p>14          Q. And then if you turn two pages, you see</p> <p>15          a subpoena? 12:58</p> <p>16          MS. TESKE: Object to the form.</p> <p>17          A. Yes.</p> <p>18          Q. And do you see the "To" line?</p> <p>19          A. I see it.</p> <p>20          Q. Could you read who that's to?</p> <p>21          A. "Karin Maistrello, 17 Gifford Avenue,</p> <p>22          Apartment 5F, Jersey City, New Jersey, 07304."</p> <p>23          Q. Is this the subpoena that did you</p> <p>24          received?</p> <p>25          MS. TESKE: Objection to form.</p> <p style="text-align: right;">Page 59</p>	<p>1           first time that you saw Exhibits 3 and 4. 01:00</p> <p>2           MS. TESKE: Object to the form.</p> <p>3           A. I don't know. To be honest, when I</p> <p>4           received this, I didn't read them.</p> <p>5           Q. Did you read them before you gave them</p> <p>6           to Mr. Podhaskie?</p> <p>7           A. I did not.</p> <p>8           Q. Had you seen Exhibits 3 and 4 before</p> <p>9           the time you were served with process at your house?</p> <p>10          MS. TESKE: Object to the form.</p> <p>11          You can answer.</p> <p>12          A. No.</p> <p>13          Q. Why did you choose to resign?</p> <p>14          Well, let me strike that.</p> <p>15          Why did you resign on July 26th, 2019? 01:01</p> <p>16          A. I heard from Daniel that something was</p> <p>17          going on with ACA, something I --</p> <p>18          MS. TESKE: Whoa, whoa, whoa,</p> <p>19          whoa, whoa, whoa, whoa, whoa.</p> <p>20          MR. GRENDI: Yeah.</p> <p>21          MS. TESKE: Conversations between</p> <p>22          you and Daniel are privileged and you are</p> <p>23          directed not to answer with respect to</p> <p>24          those conversations.</p> <p>25          MR. GREIM: I would say this, if</p> <p style="text-align: right;">Page 61</p>

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<p>1 Mr. Podhaskie is giving legal advice, 01:01 2 it's one thing. If Mr. Podhaskie is 3 telling her that a subpoena is coming, 4 that is entirely another thing. 5 Q. So I'm going to ask you -- 6 MS. TESKE: No. Well -- okay. 7 You -- 8 MR. GREIM: I'll make my record -- 9 MS. TESKE: That's fine. 10 MR. GREIM: -- and you can listen 11 and you can... 12 Q. So we'll take this in steps, okay? 13 MS. TESKE: Don't answer the 14 question. 15 Q. Did Mr. Podhaskie -- I'm going to ask 01:01 16 you about things that Podhaskie told you, not about 17 advice he gave you, okay? There's a difference. 18 What did Mr. Podhaskie tell you was 19 going on with ACA? 20 MS. TESKE: Object to the form of 21 the question. Direct the witness not to 22 answer. 23 I need -- if you can be really 24 specific in what you're asking. 25 MR. GREIM: Okay.</p> <p style="text-align: right;">Page 62</p>	<p>1 Q. Did Mr. Podhaskie ever give you advice 01:03 2 relating to ACA? 3 MS. TESKE: Object to the form. 4 You can answer. 5 A. No. 6 Q. What did Mr. Podhaskie tell you was 7 going on with ACA? 8 MS. TESKE: Object to the form. 9 Direct you not to answer. 10 I need to know more about the 11 context in which this communication 12 happened before she can answer that 13 question. 14 MR. GREIM: Okay. We'll keep 15 going. We'll see, we'll pick around the 01:03 16 edges here. 17 Q. Just go slowly, give your counsel a 18 chance to object if she wants to, okay? 19 Did Mr. Podhaskie -- when you spoke 20 with Mr. Podhaskie, was it over the phone or in 21 person? 22 MS. TESKE: You can answer. 23 A. In person. 24 Q. Where did the conversation take place? 25 MS. TESKE: You can answer.</p> <p style="text-align: right;">Page 64</p>
<p>1 MS. TESKE: And she can tell me 01:02 2 and I can decide whether or not that's an 3 attorney-client privileged communication. 4 MR. GREIM: We'll see. We'll find 5 a way. 6 Q. Let's be very careful here, okay. I 7 don't want you to waive any privilege. 8 When can was the discussion with 9 Mr. Podhaskie that you were starting to tell us 10 about? 11 A. I don't remember. 12 Q. Was it on July 26th? 13 A. I don't remember. 14 Q. Was it on July 25th? 15 A. I do not remember. 01:02 16 Q. Does Mr. Podhaskie -- did you 17 understand Mr. Podhaskie to be counsel to ACA? 18 MS. TESKE: Object to the form. 19 You can answer. 20 A. No. 21 Q. Did you ever ask Mr. Podhaskie for 22 legal advice relating to ACA? 23 MS. TESKE: Object to the form. 24 You can answer. 25 A. No.</p> <p style="text-align: right;">Page 63</p>	<p>1 A. At our office. 01:04 2 Q. What time of day was it? 3 A. I don't remember. 4 Q. Who else was present? 5 A. Just the two of us. 6 Q. Was Yvette Wang present? 7 A. She was not. 8 Q. Without getting into any legal 9 advice, did Mr. Podhaskie tell you that he had spoken 10 with William Je? 11 MS. TESKE: Object to the form of 12 the question and direct the witness not 13 to answer. 14 Q. Did Mr. Podhaskie -- okay. 15 Let me ask you this. At the end of 01:05 16 the conversation, did you tell Mr. Podhaskie that you 17 were going to resign as an ACA director? 18 MS. TESKE: Object to the form of 19 the question and direct the witness not 20 to answer. 21 MR. GREIM: The problem is that's 22 a yes or no answer. 23 MS. TESKE: But it's a yes or no 24 answer about what she told her company's 25 lawyer in a conversation where it was</p> <p style="text-align: right;">Page 65</p>

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<p>1 just the two of them about an issue in 01:05 2 which she may very well have been seeking 3 legal advice whether or not, you know, 4 she understands the scope of that or not, 5 and she's a Golden Spring employee who 6 went to the only attorney she knows, 7 Golden Spring's attorney, to talk about a 8 legal document and you want to inquire 9 about those conversations. And I just 10 can't give you a lot of leeway there. 11 MR. GREIM: But the problem is, 12 though, that it's incumbent upon the 13 attorney -- not every lawyer-client 14 discussion is protected by the privilege, 15 and if she's coming to him as the ACA 01:06 16 director and he's not counsel for ACA -- 17 MS. TESKE: It doesn't matter. 18 MR. GREIM: -- it's incumbent upon 19 him to say I'm counsel for Golden Spring. 20 But we don't need to do this on the 21 record. I understand your objection. 22 Q. Let me ask you this. Did Mr. Podhaskie 23 initiate the conversation or did you? 24 MS. TESKE: Object to the form. 25 You can answer.</p> <p style="text-align: right;">Page 66</p>	<p>1 about a legal document? 01:07 2 MS. TESKE: She's already 3 testified that she did. She already 4 testified that she brought these 5 documents to him. I'm not going to allow 6 the witness to divulge infor- -- 7 MR. GREIM: That was the difficult 8 conversation. That's the question. 9 That's the key. That's when she handed 10 him the documents. This conversation 11 happened earlier, that's what I'm asking 12 about. 13 Q. And so my -- 14 MS. TESKE: We don't -- 15 Q. My question is, in the conversation 01:08 16 where you said you heard from Daniel something was 17 going on with ACA -- let me ask you. That was not 18 the conversation where you gave him these documents, 19 was it? 20 A. It was not. 21 Q. So in the conversation where Daniel 22 said something was going on with ACA, did you come -- 23 did you start that conversation with Podhaskie and 24 come to ask him a question or did Podhaskie come to 25 you?</p> <p style="text-align: right;">Page 68</p>
<p>1 A. I'm not clear about what conversation 01:06 2 we're talking about. 3 Q. Okay. You began to tell us a few 4 minutes ago that you heard from Daniel something was 5 going on with ACA. That's the conversation I'm 6 talking about. 7 So my question to you is, did you 8 initiate that conversation or did Mr. Podhaskie? 9 MS. TESKE: Okay. Object and 10 direct the witness not to answer, and I 11 don't know that if that specific 12 conversation was a follow-up on a 13 previous conversation that they had, and 14 I do not know enough to allow the 15 witness -- again, we are talking about 01:07 16 Golden Spring's employee who went to the 17 only attorney she knows, her Golden 18 Spring's attorney, to talk about 19 something related to a legal case or a 20 legal document. I'm not going to allow 21 the witness -- 22 MR. GREIM: Actually, that was not 23 the witness's testimony, but I will ask 24 you that now. 25 Q. Did you go to Mr. Podhaskie to ask him</p> <p style="text-align: right;">Page 67</p>	<p>1 MS. TESKE: Okay. Object. Direct 01:08 2 the witness not to answer. 3 The only way I am going to get 4 comfortable with the witness answering 5 these questions is if I know more about 6 what those conversations entailed, and I 7 don't -- and that conversation can't 8 happen on the record. 9 MR. GREIM: Okay. 10 MS. TESKE: I need to step out 11 with the witness so I can understand the 12 full scope of what is going on so I 13 can -- 14 MR. GREIM: Okay. Let's go ahead. 15 Let's all refresh in our minds. You know 01:09 16 what? Actually we will come back to it. 17 We'll do that at the end with a bunch of 18 other stuff. Okay, let's put a place 19 mark on this and we'll come back to it. 20 BY MR. GREIM: 21 Q. But let me come back to my question, 22 though, because I don't -- I think you began to 23 answer it talking about this discussion, so now I'm 24 just going to ask you, why did you decide to resign 25 as a director of ACA on July 26th?</p> <p style="text-align: right;">Page 69</p>

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<p>1 MS. TESKE: And I'm going to 01:09 2 caution you not to reveal any 3 communications that you had with 4 Mr. Podhaskie. 5 A. Can you repeat your question, please. 6 Q. Why did you decide to resign as an ACA 7 director on July 26th? 8 A. I did not want to get involved in 9 things that I'm not involved with. 10 Q. What are those things? 11 A. To be honest, I don't know. 12 Q. Is it -- are you referring to this 13 case? 14 A. I don't know anything about this case. 15 To be honest, I don't even know why I'm here. The 01:10 16 reason why I worked for this company, why I trust 17 William is because we share a mission. That's what 18 makes me trust him and that's probably why he trusts 19 me. 20 Anything else, what he does, who he is, 21 his family, I don't know. I don't care. We're 22 trying to work to make China a better place and 23 that's all that matters. 24 Q. Why did you think that resigning from 25 ACA as a director would keep you from getting</p> <p style="text-align: right;">Page 70</p>	<p>1 Q. What are the things that you don't want 01:12 2 to be involved in? 3 MS. TESKE: Object to the form. 4 You can answer. 5 A. I don't know. 6 Q. But whatever they were, they were 7 serious enough for you to resign from ACA? 8 MS. TESKE: Object to the form. 9 You can answer. 10 MR. GRENDI: Object to the form. 11 A. I don't know. 12 Q. You just testified a second ago that 13 you trusted Mr. Je because you shared a mission of 14 making China a better place, right? 15 A. That's correct. 01:13 16 Q. And is that the mission you thought ACA 17 had? 18 A. No. I trust him as a person as I know 19 that he shares the same idea about the Communist 20 Party and how bad they are. I am not talking about 21 ACA or any other thing. I was talking specifically 22 about him as a person. 23 Q. So what is the thing you were trying to 24 keep from getting involved in by resigning as a 25 director?</p> <p style="text-align: right;">Page 72</p>
<p>1 involved in things that you don't want to be involved 01:11 2 in? 3 MS. TESKE: Object to the form. 4 You can answer. 5 A. Can you repeat your question, please. 6 MR. GREIM: I'll have the court 7 reporter do that. 8 (Whereupon, the record is read.) 9 A. I'm not sure I understand the question. 10 Q. You told me a few minutes ago that you 11 resigned from ACA because you did not want to get 12 involved in things that you don't want to be involved 13 in. Do you remember that testimony? 14 MS. TESKE: Object to the form. 15 You can answer. 01:11 16 A. Yes. 17 Q. And so, my question is, why did you 18 think that resigning as a director of ACA would 19 accomplish that goal? 20 MS. TESKE: Object to the form. 21 You can answer. 22 A. Let's put it this way. You are part of 23 a company or you work in a store. There are things 24 in the store that you don't want to get involved 25 with. You resign. You're not part of it any more.</p> <p style="text-align: right;">Page 71</p>	<p>1 MS. TESKE: Object to the form. 01:13 2 You can answer. 3 A. I don't know. I don't know 4 specifically what's going on here with these -- with 5 any company. I just feel that I don't want to be 6 involved in something that does not belong to me. 7 Q. What did you learn that made you decide 8 that you did not want to be involved in ACA as of 9 July 26th? 10 MS. TESKE: Object to the form. 11 You can answer. 12 A. Really nothing. 13 Q. Was it something Mr. Podhaskie told 14 you? 15 MS. TESKE: Object to the form, 01:14 16 and -- object to the form. 17 You can answer without giving away 18 any substance of communications. 19 A. Yes. 20 Q. So it's something Mr. Podhaskie told 21 you but you can't tell us what that thing is; is that 22 your testimony today? 23 MS. TESKE: Because I'm directing 24 her not to. 25 MR. GREIM: Well, okay. So you're</p> <p style="text-align: right;">Page 73</p>

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<p>1 directing her not to tell me what the 01:15 2 thing ACA was involved in that she wanted 3 to get out of. 4 MS. TESKE: I am directing her not 5 to discuss her communications with Dan 6 Podhaskie with you. 7 MR. GREIM: Okay. That's -- okay, 8 fair enough. 9 Q. I'll ask it this way. Forget about 10 what Mr. Podhaskie told you. 11 Was the thing that ACA was involved in 12 that you wanted to not be involved in yourself, was 13 it a project of ACA? 14 MS. TESKE: Object to the form of 15 the question. 01:15 16 You can answer. 17 A. I don't know. 18 Q. Was it a lawsuit? 19 MS. TESKE: Object to the form of 20 the question. 21 You can answer. 22 A. I don't know. 23 Q. How did it involve ACA? 24 MS. TESKE: Object to the form. 25 You can answer.</p> <p style="text-align: right;">Page 74</p>	<p>1 ask you what it was. It's just a yes or no question. 01:17 2 Did he give you advice in this 3 discussion? 4 MS. TESKE: Objection and 5 directing the witness not to answer. 6 We've -- because I'm not going to allow 7 her, no matter what she answers, and she 8 can answer a yes or a no, but no matter 9 what her answer is, she does not 10 understand the scope of the 11 attorney-client privilege. And I am 12 going to direct her not to discuss 13 communications with Mr. Podhaskie until I 14 am confident that they are not 15 attorney-client privileged 01:18 16 communications. 17 MR. GREIM: I think, though, that 18 I need to know whether he gave advice. 19 I'm not asking what it was. I want to 20 know whether he gave advice, yes or no. 21 And if she says no, it doesn't mean we're 22 going to go all out. I want to know 23 whether she believes she got advice. 24 You may tell her after you speak 25 with her that, guess what, that was</p> <p style="text-align: right;">Page 76</p>
<p>1 A. I don't know. 01:16 2 Q. Why did you think that resigning as a 3 director would spare you from being involved in 4 whatever this thing was? 5 MS. TESKE: Object to the form. 6 You can answer. 7 A. I believe I already answered this 8 question. Meaning, with my resignation, I'm out. 9 Q. Out of what? 10 A. ACA. 11 Q. Did you discuss your conversation with 12 Mr. Podhaskie with any other person after you were 13 done talking with him? Yes or no for now. 14 A. No. 15 Q. Did Mr. Podhaskie tell you he would 01:17 16 discuss your conversation with any other person? Yes 17 or no for now. 18 MS. TESKE: Object to the form. 19 You can answer. 20 A. No. 21 Q. Do you know whether Mr. Podhaskie 22 discussed your conversation with him with any other 23 person? 24 A. I do not. 25 Q. Did Mr. Podhaskie -- I'm not going to</p> <p style="text-align: right;">Page 75</p>	<p>1 actually advice. I understand that. I 01:18 2 want to know her answer before she talks 3 with counsel just on a yes or a no. 4 MS. TESKE: I will let -- it has 5 no bearing. I'm not going to let her 6 answer that because it has no bearing. 7 She can not opine on whether or not he 8 gave her legal advice. 9 MR. GREIM: Well, I'm going to ask -- 10 MS. TESKE: I mean, that's your 11 question. 12 MR. GREIM: Well, I'm going to ask 13 her whether she believed that she 14 received advice, and it's not going to be 15 binding -- 01:19 16 MS. TESKE: But when you say 17 advice, you mean legal advice, and she 18 doesn't understand that. 19 MR. GREIM: The question -- well 20 wait a minute. 21 MS. TESKE: That's a legal concept 22 that she doesn't understand. 23 MR. GREIM: Okay. I'm just going 24 to make it for the record. You can 25 object again.</p> <p style="text-align: right;">Page 77</p>

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<p>1 BY MR. GREIM: 01:19</p> <p>2 Q. And I'm not going to ask about legal</p> <p>3 advice right now. I'm just going to say, during the</p> <p>4 conversation, did Mr. Podhaskie advise you to do</p> <p>5 anything? Yes or no.</p> <p>6 MS. TESKE: Hold on a second.</p> <p>7 I am not going to let the witness</p> <p>8 discuss what the substance of her</p> <p>9 communications are with Mr. Podhaskie,</p> <p>10 and although you want to characterize the</p> <p>11 substance, that's the same thing. That's</p> <p>12 asking her about the substance of her</p> <p>13 conversation. You just want to</p> <p>14 characterize it.</p> <p>15 MR. GREIM: Okay. 01:20</p> <p>16 Q. Did you take any actions as a result</p> <p>17 of your discussion with Mr. Podhaskie?</p> <p>18 MS. TESKE: Object to the form.</p> <p>19 MR. GREIM: Yes.</p> <p>20 MS. TESKE: You can answer. No,</p> <p>21 sorry.</p> <p>22 What she did at the direction of</p> <p>23 her counsel --</p> <p>24 MR. GREIM: That's not my</p> <p>25 question.</p> <p style="text-align: right;">Page 78</p>	<p>1 Karin Maistrello. We're off the record 01:22</p> <p>2 at 1:21 p.m., August 23rd, 2019.</p> <p>3 (Whereupon, a recess is taken.)</p> <p>4 THE VIDEOGRAPHER: This is the</p> <p>5 beginning of video No. 2 in the</p> <p>6 deposition of Karin Maistrello. We are</p> <p>7 on the record at 1:31 p.m., August 23rd,</p> <p>8 2019.</p> <p>9 BY MR. GREIM:</p> <p>10 Q. Ms. Maistrello, I've just handed you</p> <p>11 what we've marked Exhibit 5. Have you had a second</p> <p>12 to take a look at that?</p> <p>13 A. Give me one second.</p> <p>14 Q. Sure.</p> <p>15 MR. GREIM: I'll just say for the 01:33</p> <p>16 record it's three pages. They have a --</p> <p>17 like a digital Bates label in the bottom</p> <p>18 left-hand corner, 42, 43 and 44, and the</p> <p>19 top reads "Notice of Change of Company</p> <p>20 Secretary and Director," and then in</p> <p>21 parentheses after that</p> <p>22 "Appointment/Cessation."</p> <p>23 Q. Now, Ms. Maistrello, let me -- maybe</p> <p>24 I'll just walk you through this.</p> <p>25 Do you see on page 2 a signature at the</p> <p style="text-align: right;">Page 80</p>
<p>1 MS. TESKE: It could be, though. 01:20</p> <p>2 You're going to box her into something,</p> <p>3 and you're trying to get -- it's very,</p> <p>4 clear, and I understand why you're doing</p> <p>5 it, but it's very -- but you are trying</p> <p>6 to obtain the substance of</p> <p>7 attorney-client privileged</p> <p>8 communications --</p> <p>9 MR. GREIM: No.</p> <p>10 MS. TESKE: -- or communications</p> <p>11 that we haven't determined aren't. Of</p> <p>12 course you --</p> <p>13 MR. GREIM: Okay. We'll come back</p> <p>14 to it. We've got to move on.</p> <p>15 Q. Let me see what we're doing here. 01:21</p> <p>16 (Whereupon, Plaintiff's</p> <p>17 Exhibit 5, "Notice of Change of Company</p> <p>18 Secretary and Director</p> <p>19 (Appointment/Cessation,)" Bates Nos.</p> <p>20 42-44, is marked for identification, as</p> <p>21 of this date.)</p> <p>22 MR. GREIM: Let's take a short</p> <p>23 break.</p> <p>24 THE VIDEOGRAPHER: This will</p> <p>25 conclude video No. 1 in the deposition of</p> <p style="text-align: right;">Page 79</p>	<p>1 bottom of the page? 01:33</p> <p>2 A. I do.</p> <p>3 Q. Whose signature is that?</p> <p>4 MS. TESKE: Object to the form of</p> <p>5 the question.</p> <p>6 You can answer.</p> <p>7 A. That's mine.</p> <p>8 Q. Okay. And if you look on the third</p> <p>9 page, do you see another signature at the very bottom</p> <p>10 under the title "Confirmation"?</p> <p>11 A. I see it.</p> <p>12 Q. Okay. Can you see who signed that?</p> <p>13 MS. TESKE: Object to the form.</p> <p>14 You can answer.</p> <p>15 A. Yes. 01:34</p> <p>16 Q. Who?</p> <p>17 A. William Je.</p> <p>18 Q. Okay. And he signed on behalf of what</p> <p>19 entity?</p> <p>20 MS. TESKE: Object to the form.</p> <p>21 Are you asking her to read what's</p> <p>22 written --</p> <p>23 MR. GREIM: Yes.</p> <p>24 MS. TESKE: -- on the page?</p> <p>25 'Cause she would not otherwise have --</p> <p style="text-align: right;">Page 81</p>

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<p>1 MR. GREIM: Yes. 01:34</p> <p>2 MS. TESKE: -- any understanding.</p> <p>3 A. Celestial Tide Limited.</p> <p>4 Q. Have you ever heard of that entity</p> <p>5 before?</p> <p>6 A. I have not.</p> <p>7 Q. Okay. Let me ask you, do you recognize</p> <p>8 this as the document you signed to accept an</p> <p>9 appointment as a director of ACA?</p> <p>10 A. I have to be honest, I don't remember.</p> <p>11 Q. Do you agree that your signature</p> <p>12 appears on the bottom of page 2?</p> <p>13 A. I do.</p> <p>14 Q. Is it possible -- is it at least</p> <p>15 possible that you've seen this document before? 01:35</p> <p>16 MS. TESKE: Object to the form.</p> <p>17 A. Yes.</p> <p>18 Q. If you look right above your signature,</p> <p>19 there's an advisory note. Do you see that?</p> <p>20 A. I do.</p> <p>21 Q. And do you say that it says, "All</p> <p>22 directors of the company are advised to read 'a guide</p> <p>23 on directors' duties' published by the company's</p> <p>24 registry and acquaint themselves with the general</p> <p>25 duties of directors outlined in the guide."</p> <p style="text-align: right;">Page 82</p>	<p>1 A. Oh, can you please repeat the question. 01:36</p> <p>2 Q. Do you see on page 1 -- well, first of</p> <p>3 all, do you see the company name on page one is ACA</p> <p>4 Capital Group Limited?</p> <p>5 A. I see that.</p> <p>6 Q. And if you look, then, under 2, it says</p> <p>7 "Cessation to act as company's secretary/director"?</p> <p>8 A. I see that.</p> <p>9 Q. And below that, the check mark -- the</p> <p>10 box for director is checked. Do you see that?</p> <p>11 A. I see that.</p> <p>12 Q. And then the name of the person who is</p> <p>13 ceasing to act as director is printed?</p> <p>14 MS. TESKE: Object to the form.</p> <p>15 Q. Do you see that? 01:37</p> <p>16 A. Yes.</p> <p>17 Q. And what is that name?</p> <p>18 A. Can I read it?</p> <p>19 Q. Sure.</p> <p>20 A. Nil. Chassot Laurent?</p> <p>21 Q. And I'll just point out to you, I know</p> <p>22 you're just reading off of the form, that's all you</p> <p>23 are doing here, but the very first line has the word</p> <p>24 Nil?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 84</p>
<p>1 MS. TESKE: Object. 01:35</p> <p>2 Q. Do you see that?</p> <p>3 MS. TESKE: Object to the form.</p> <p>4 You can answer.</p> <p>5 A. Yes.</p> <p>6 Q. Do you recall taking those steps after</p> <p>7 you signed this document?</p> <p>8 MS. TESKE: Object to the form.</p> <p>9 You can answer.</p> <p>10 A. No.</p> <p>11 Q. Is the information listed under your</p> <p>12 name on page 2, was that correct as of January 1,</p> <p>13 2019?</p> <p>14 MS. TESKE: Object to the form.</p> <p>15 You can answer. 01:36</p> <p>16 A. Yes.</p> <p>17 Q. If you could look back on page 1, do</p> <p>18 you see that there is a name of a director who is</p> <p>19 resigning at the same time you were coming in?</p> <p>20 MS. TESKE: Object to the form.</p> <p>21 And just for the record, the Exhibit 5 is</p> <p>22 a document in Chinese that has an English</p> <p>23 translation, that's what we're working</p> <p>24 with here.</p> <p>25 But you can answer the question.</p> <p style="text-align: right;">Page 83</p>	<p>1 Q. Okay. If you look on page 2, you see 01:37</p> <p>2 the word "nil" appears in many other boxes?</p> <p>3 A. I see that.</p> <p>4 Q. Okay. So does it appear to you that</p> <p>5 nil just means there's nothing to enter into that</p> <p>6 field?</p> <p>7 MS. TESKE: Object the form.</p> <p>8 You can answer.</p> <p>9 A. Yes.</p> <p>10 Q. What is the name in English that you</p> <p>11 see printed there as the resigning director?</p> <p>12 A. Chassot Laurent.</p> <p>13 Q. Or might it be Laurent Chassot?</p> <p>14 MS. TESKE: Object to the form.</p> <p>15 A. Yes. 01:38</p> <p>16 Q. You see the surname is Chassot?</p> <p>17 A. Yes. In whatever order you prefer.</p> <p>18 Q. Have you ever heard that name before?</p> <p>19 A. I have not.</p> <p>20 Q. Did you realize that as you were coming</p> <p>21 in as director Laurent Chassot is resigning?</p> <p>22 MS. TESKE: Object to the form.</p> <p>23 A. Yes.</p> <p>24 Q. You did understand that?</p> <p>25 A. I can read, yes.</p> <p style="text-align: right;">Page 85</p>

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<p>1 Q. Okay. Okay, but let me ask you, I'm 01:38 2 going to be clear, did you understand at the time 3 that you signed this document that Laurent Chassot 4 was resigning at the same time you were being 5 appointed as a director? 6 MS. TESKE: Object to the form. 7 You can answer. 8 A. I don't remember what happened when I 9 signed, but now that I read it, yes, I can see that. 10 Q. If you could go to page 3. And earlier 11 you identified the signature of William Je, correct? 12 A. Correct. 13 Q. Do you see he's signing for a company 14 called Celestial Tide Limited and earlier you 15 testified that you had not heard of that entity 01:39 16 before? 17 A. Yes. 18 Q. So did you have any understanding that 19 Celestial Tide Limited would be the other director of 20 this entity serving along with you? 21 MS. TESKE: Objection to the form. 22 MR. GRENDI: Objection to the 23 form. 24 Q. At the time you signed this? 25 MS. TESKE: Same objection.</p> <p style="text-align: right;">Page 86</p>	<p>1 records of ACA you are still listed as a director? 01:41 2 MS. TESKE: Object to the form. 3 You can answer. 4 A. No, I don't. 5 (Whereupon, Plaintiff's 6 Exhibit 6, document printed off the Hong 7 Kong Corporate Registry database through 8 the ICRIS Cyber Search Centre, is marked 9 for identification, as of this date.) 10 Q. I'm going to show you what we are 11 marking as Exhibit 6, and I'll represent to you that 12 this is a document we printed off the Hong Kong 13 Corporate Registry database. It's called ICRIS Cyber 14 Search Centre, and we did it yesterday US time, but 15 actually it was already August 23rd, almost 5:00 GMT 01:42 16 time. 17 Do you see the time stamp in the upper 18 right-hand corner? 19 A. I do. 20 MS. TESKE: Object to the form. 21 Q. Now, do you see that it lists the name 22 of particular directors in the middle of the page? 23 A. Yes. 24 Q. And do you see your name there? 25 A. I do.</p> <p style="text-align: right;">Page 88</p>
<p>1 MR. GRENDI: Same objection. 01:39 2 A. Can you repeat the question, please. 3 Q. At the time you signed this document 4 did you have any understanding that Celestial Tide 5 Limited would be serving as the other director of 6 this entity alongside you? 7 MS. TESKE: Same objection. 8 A. No. 9 Q. Did you take any steps to file this 10 document after you signed it? 11 A. I did not. 12 Q. Do you know who did? 13 MS. TESKE: Object to the form. 14 A. Pardon? 15 Q. Do you know who did? 01:40 16 A. I do not. 17 Q. Did you sign a document like Exhibit 5 18 in connection with your recent purported resignation? 19 A. I'm not sure I understand the question. 20 Q. So earlier we looked at Exhibit 1 and 21 Exhibit 2, which were your resignation letter and an 22 email, and my question is, did you also sign a 23 document similar in form to Exhibit 5? 24 A. No, I did not. 25 Q. Do you know whether in the official</p> <p style="text-align: right;">Page 87</p>	<p>1 Q. Did you ever check to see whether your 01:42 2 resignation letter had actually been processed with 3 Hong Kong? 4 MS. TESKE: Object to the form. 5 You can answer. 6 A. No. 7 Q. Do you know if anyone has on your 8 behalf? 9 MS. TESKE: Object to the form. 10 You can answer. 11 A. Can you repeat the question, please. 12 Q. Do you know if anyone has on your 13 behalf checked with Hong Kong to ensure that your 14 registration has become effective? 15 A. I don't know. 01:43 16 MS. TESKE: Also the same 17 objection. 18 (Whereupon, Plaintiff's 19 Exhibit 7, two-page document titled 20 "Limited Power of Attorney," Eastern 21 276-77, is marked for identification, as 22 of this date.) 23 Q. Are you aware of any relationship 24 between ACA and Eastern Profit Corporation? 25 A. I am not.</p> <p style="text-align: right;">Page 89</p>

23 (Pages 86 to 89)



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<p>1 Q. I'm going to hand you what we're 01:44 2 marking as Exhibit 7. And you'll see it's a 3 two-page document, Bates numbered Eastern 276 to 277, 4 titled "Limited Power of Attorney," and then you'll 5 see on that second page there, it looks like you have 6 notarized it. Am I right? 7 A. You are. 8 Q. Do you remember notarizing this 9 document? 10 A. I don't. 11 Q. Do you notarize many documents every 12 day? 13 A. Not every day, but yes. 14 Q. And do you keep a logbook of each 15 notarization you perform? 01:45 16 A. I do. 17 Q. And every time you notarize a document, 18 do you mark it in your log book on that day? 19 A. I do. 20 MS. TESKE: Object to the form of 21 that question. 22 Q. You'll see that this document says it 23 was signed by Chunguang Han, did I say that right? 24 A. Yes. 25 Q. Can you tell whose signature is above</p> <p style="text-align: right;">Page 90</p>	<p>1 MR. GRENDI: Yeah. 01:46 2 Q. Yes. 3 A. Maybe. 4 Q. Okay. 5 Do you know who wrote in the words 6 "Director" and "New York" on this page? 7 MS. TESKE: Object to the form. 8 A. I don't. 9 Q. Was it you? 10 A. It was not. 11 Q. Was it Mr. Han? 12 A. I don't think so. 13 Q. I see there's a signature that appears 14 kind of over your notary stamp. Is that your 15 signature again? 01:47 16 A. It is. 17 Q. Okay. So if we looked in your notary 18 record book, we'd be able to see whether you have an 19 entry on August 30th of 2018? 20 A. Yes. 21 Q. So you described Mr. Han for us, but I 22 should have asked you before I asked you to begin to 23 do that is to form some basis for that. So my 24 question to you is, how often do you see Chunguang 25 Han?</p> <p style="text-align: right;">Page 92</p>
<p>1 Chunguang Han? Can you read that? 01:45 2 A. That's -- 3 MS. TESKE: Object to the form. 4 You can answer. 5 A. That's his. 6 Q. Now, do you know that that is his 7 actual signature or are those just the characters 8 that make up his name? 9 A. I know it's his. 10 Q. How do you know? 11 A. Because I never notarize anything 12 without the person being in front of me. 13 Q. Do you know who Chunguang Han is? 14 A. I do. 15 Q. And can you describe him to me? 01:46 16 A. In what sense? 17 Q. Physically. 18 A. Pretty tall, short hair, brown eyes, a 19 hundred -- 20 Q. What is his build? Is he stocky or 21 thin or medium? 22 A. Medium. 23 Q. Is he taller than me? 24 MS. TESKE: Object to the form. 25 A. Can I stand?</p> <p style="text-align: right;">Page 91</p>	<p>1 A. Not very often. 01:48 2 Q. I mean, like once a week, once a month? 3 A. Maybe once a week. 4 Q. And I'll ask you this. How do you know 5 that he is Chunguang Han? Did somebody originally at 6 the beginning introduce you to him as Chunguang Han? 7 A. He did. 8 Q. Oh, he did, okay. 9 (Whereupon, there is a discussion 10 off the record.) 11 Q. Now, earlier you said you had not heard 12 of Eastern Profit. Do you agree with me that the 13 statement we just looked at mentions Eastern Profit 14 many times? 15 MS. TESKE: Object to the form. 01:49 16 You can answer. 17 A. Can I take a moment to take a look at 18 the document. 19 Q. Sure, take a look. 20 A. Can you please ask your question again? 21 Q. Do you see that Eastern Profit appears 22 in this document several times? 23 A. I do. 24 Q. But I guess, I take it that you don't 25 read these documents before you notarize them; you</p> <p style="text-align: right;">Page 93</p>

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<p>1 simply take the oath of the person who shows up in 01:50 2 front of you, correct? 3 MS. TESKE: Object to the form. 4 MR. GRENDI: Object to the form. 5 A. I read the title, I put the date, and I 6 put my stamp. 7 Q. When you became a director, did anyone 8 make you aware of a loan agreement between ACA and 9 Eastern Profit? 10 A. No. 11 Q. Have you ever heard of such a thing? 12 A. I have not. 13 Q. Did you ever discuss the loan agreement 14 with William Je? 15 MS. TESKE: Object to the form. 01:51 16 A. I did not. 17 Q. Did you ever discuss it with Han 18 Chunguang? 19 A. I did not. 20 Q. While you were with ACA, are you aware 21 of any attempts it made to collect on a loan 22 agreement with Eastern Profit? 23 A. I was not. 24 Q. In fact, did you, while you were with 25 ACA, did you ever hear about it extending loans to</p> <p style="text-align: right;">Page 94</p>	<p>1 A. I do not. 01:53 2 Q. Have you been asked by William Je to 3 assist with bringing on a new director? 4 MS. TESKE: Object to the form. 5 You can answer. 6 A. No. 7 Q. Did Mr. Je ever express any displeasure 8 to you about your performance with ACA? 9 A. No. 10 Q. Did any person? 11 A. No. 12 Q. Are you aware of any ACA wires to any 13 United States entity? 14 MS. TESKE: Object to form. 15 A. I'm not. 01:54 16 Q. Do you know who at ACA would have 17 approved any such wires? 18 MS. TESKE: Object to form. 19 A. I don't know. 20 Q. Do you have any understanding as to 21 whether it was your duty or responsibility as the 22 director of ACA to approve such wires? 23 A. Can you repeat the question, please. 24 Q. Do you have any understanding as to 25 whether it was your duty and responsibility as a</p> <p style="text-align: right;">Page 96</p>
<p>1 any entity? 01:52 2 A. I did not. 3 MR. GRENDI: Object to the form. 4 Q. Did you ever hear of any project that 5 ACA had actually undertaken? 6 A. I did not. 7 Q. As you sit here today, do you have any 8 certainty that ACA actually undertakes projects? 9 MS. TESKE: Object to the form. 10 A. I don't know. 11 Q. Do you have any certainty that ACA 12 manages funds? 13 MS. TESKE: Object to the form. 14 A. I don't know. 15 Q. Do you have any information that ACA 01:53 16 has attempted to obtain research on individuals in 17 connection with the -- what you said was the shared 18 mission that you have with William Je? 19 MS. TESKE: Object to the form. 20 MR. GRENDI: Object to the form. 21 A. I do not. 22 Q. Do you recall that ACA ever discussed 23 it? 24 MS. TESKE: Object to the form. 25 MR. GRENDI: Object to form.</p> <p style="text-align: right;">Page 95</p>	<p>1 director of ACA to approve such wires? 01:55 2 A. No. 3 Q. Anyone ask you to resign from ACA? 4 A. No. 5 Q. Did anyone advise you to resign from 6 ACA? 7 MS. TESKE: I'm going to caution 8 you against divulging attorney-client 9 privileged communications, but you may 10 answer the question. 11 A. No. 12 Q. Did anyone suggest to you that you 13 should resign from ACA? 14 MS. TESKE: Same direction. You 15 can answer. 01:56 16 A. No. 17 Q. Did it bother you to resign as a 18 director of ACA? 19 A. No. 20 Q. Why not? 21 MS. TESKE: Object to the form. 22 You can answer. 23 A. Why yes? I don't see why. 24 Q. Had you considered resigning from ACA 25 before July 26th, 2019?</p> <p style="text-align: right;">Page 97</p>

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<p>1 A. No. 01:57</p> <p>2 Q. Okay. I'm not going to ask you what</p> <p>3 was said. I'm going to try this one more time and</p> <p>4 then we'll do the thing we discussed before.</p> <p>5 Was the topic of your discussion with</p> <p>6 Mr. Podhaskie the problems that were happening with</p> <p>7 ACA?</p> <p>8 MS. TESKE: Object.</p> <p>9 Don't answer.</p> <p>10 MR. GREIM: Okay. Let's take a</p> <p>11 break.</p> <p>12 THE VIDEOGRAPHER: We are off the</p> <p>13 record. The time is 1:57 p.m.</p> <p>14 (Whereupon, a recess is taken.)</p> <p>15 THE VIDEOGRAPHER: We are back on 02:10</p> <p>16 the record. The time is 2:09 p.m.</p> <p>17 BY MR. GREIM:</p> <p>18 Q. Ms. Maistrello, just a few more</p> <p>19 questions for you. I want to return to your</p> <p>20 testimony earlier that you resigned from ACA because</p> <p>21 you didn't want to be involved in something. Do you</p> <p>22 recall that testimony?</p> <p>23 A. I do.</p> <p>24 Q. And I guess my question to you, I'm</p> <p>25 going to ask you one last time because you've said</p> <p style="text-align: right;">Page 98</p>	<p>1 MS. TESKE: Object to the form. 02:12</p> <p>2 MR. GRENDI: Object to the form.</p> <p>3 MS. TESKE: If she knows.</p> <p>4 A. I don't.</p> <p>5 Q. Other than Mr. Podhaskie, is there any</p> <p>6 other person that you spoke with before you came to</p> <p>7 the conclusion that by resigning as an ACA director,</p> <p>8 you might be -- you might avoid being involved with</p> <p>9 something you didn't want to be involved in?</p> <p>10 MS. TESKE: Objection to the form.</p> <p>11 You can answer.</p> <p>12 A. No.</p> <p>13 Q. You did not speak with Ms. Wang about</p> <p>14 whether resigning could keep you from being involved</p> <p>15 in something? 02:13</p> <p>16 MS. TESKE: Object to the form.</p> <p>17 You can answer that.</p> <p>18 A. I did not.</p> <p>19 Q. You did not speak to Mr. Guo about that</p> <p>20 topic?</p> <p>21 MS. TESKE: Objection.</p> <p>22 A. I did not.</p> <p>23 Q. Did you speak with Mr. Guo about your</p> <p>24 deposition today?</p> <p>25 A. I did not.</p> <p style="text-align: right;">Page 100</p>
<p>1 you don't know what that thing is, sitting here 02:11</p> <p>2 today, have you been able to recall what that thing</p> <p>3 is that you did not want to be involved in as a</p> <p>4 director of ACA?</p> <p>5 MS. TESKE: Object to the form.</p> <p>6 MR. GRENDI: Objection to the</p> <p>7 form.</p> <p>8 A. No.</p> <p>9 Q. Let me ask you this. Has your</p> <p>10 resignation been effective in keeping you from being</p> <p>11 involved in that thing that you did not want to be</p> <p>12 involved in?</p> <p>13 MS. TESKE: Object to the form.</p> <p>14 MR. GRENDI: Object to the form.</p> <p>15 A. I don't know. Meaning, I'm here 02:11</p> <p>16 wasting my time about something I have no idea what</p> <p>17 it is about, so I don't know.</p> <p>18 Q. Is being here one of the things you</p> <p>19 wanted to not be involved in by resigning?</p> <p>20 MS. TESKE: Object to the form.</p> <p>21 A. I didn't necessarily think about this.</p> <p>22 But yeah, if I could have avoided this, why not?</p> <p>23 Q. And in fact, you did avoid being</p> <p>24 deposed as an ACA corporate representative, didn't</p> <p>25 you?</p> <p style="text-align: right;">Page 99</p>	<p>1 Q. Have you reviewed his disposition 02:13</p> <p>2 transcript in this case?</p> <p>3 A. No.</p> <p>4 Q. Okay. Did you speak with Ms. Wang</p> <p>5 about your deposition today?</p> <p>6 A. I didn't.</p> <p>7 Q. Have you reviewed her deposition</p> <p>8 transcript in this case?</p> <p>9 A. No, I haven't.</p> <p>10 Q. And is it your testimony that you have</p> <p>11 not had any communication with Mr. Je since his email</p> <p>12 back to you regarding your resignation?</p> <p>13 MS. TESKE: Object to the form.</p> <p>14 You can answer the question.</p> <p>15 A. That's correct. 02:14</p> <p>16 Q. Has anyone communicated with you on</p> <p>17 behalf of Mr. Je?</p> <p>18 A. No.</p> <p>19 Q. Have you received any payment from any</p> <p>20 person other than your payment as an employee of</p> <p>21 Golden Spring?</p> <p>22 MR. GRENDI: Object to the form.</p> <p>23 MS. TESKE: Object to the form.</p> <p>24 Sorry. For what, during what time</p> <p>25 period, for any --</p> <p style="text-align: right;">Page 101</p>

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<p>1 MR. GREIM: In 2019. 02:14</p> <p>2 MS. TESKE: Relating to her</p> <p>3 services?</p> <p>4 MR. GREIM: Relating to personal</p> <p>5 services.</p> <p>6 MS. TESKE: Personal services?</p> <p>7 MR. GREIM: Services, any</p> <p>8 services.</p> <p>9 MS. TESKE: Provided to ACA.</p> <p>10 MR. GREIM: Well, first provided</p> <p>11 to ACA.</p> <p>12 MS. TESKE: Maybe rephrase the</p> <p>13 question.</p> <p>14 MR. GREIM: Yeah, I'm sorry.</p> <p>15 MR. GREIM: That's a bad one. 02:15</p> <p>16 MR. GREIM: I'm sorry. I'm</p> <p>17 thinking about -- I'm trying to cut out</p> <p>18 arts and crafts or, you know, artwork or</p> <p>19 something, tangible things.</p> <p>20 Let me go back, okay, and make it</p> <p>21 clear.</p> <p>22 BY MR. GREIM:</p> <p>23 Q. In 2019, have you received payment for</p> <p>24 any services other than your salary as a director of</p> <p>25 ACA?</p> <p style="text-align: right;">Page 102</p>	<p>1 THE WITNESS: Thank you. 02:16</p> <p>2 MS. TESKE: Thank you,</p> <p>3 Ms. Maistrello.</p> <p>4 THE VIDEOGRAPHER: This will</p> <p>5 conclude Video No. 2 and end the</p> <p>6 deposition of Karin Maistrello. We are</p> <p>7 off the record at 2:15 p.m., August 23rd,</p> <p>8 2019.</p> <p>9 (Time noted: 2:15 p.m.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 104</p>
<p>1 MS. TESKE: Object to the form. 02:15</p> <p>2 You can answer the question.</p> <p>3 Q. I'm sorry. Other than your salary as</p> <p>4 an employee of Golden Spring?</p> <p>5 MS. TESKE: Object to the form.</p> <p>6 But you can answer the question.</p> <p>7 A. No, I did not.</p> <p>8 MR. GREIM: Okay. Well, I want to</p> <p>9 stand on the questions I asked about the</p> <p>10 discussion with Mr. Podhaskie. I think</p> <p>11 I've asked every possible question that</p> <p>12 can be asked about that question, and I</p> <p>13 want to hold open the deposition for that</p> <p>14 purpose only.</p> <p>15 I will say that for efficiency 02:15</p> <p>16 sake, if there is a way to get the</p> <p>17 information we need from ACA without</p> <p>18 going into that, then we will try. We</p> <p>19 will try. But if we can't, we'll want to</p> <p>20 return to this topic and we'll just raise</p> <p>21 it with the judge. And so I've got</p> <p>22 nothing else.</p> <p>23 MS. TESKE: Thank you.</p> <p>24 MR. GREIM: Thank you very much.</p> <p>25 MR. GREIM: Thank you, Ms. Maistrello.</p> <p style="text-align: right;">Page 103</p>	<p>1 ACKNOWLEDGMENT</p> <p>2</p> <p>3 STATE OF NEW YORK )</p> <p>4 ) ss.:</p> <p>5 COUNTY OF _____ )</p> <p>6</p> <p>7 I, KARIN MAISTRELLO, hereby</p> <p>8 certify that I have read the transcript</p> <p>9 of my testimony taken under oath, on the</p> <p>10 23rd day of August, 2019; that the</p> <p>11 transcript, except as noted in any</p> <p>12 attached errata sheet(s), is a true</p> <p>13 record of my testimony.</p> <p>14 _____</p> <p>15 KARIN MAISTRELLO</p> <p>16 Subscribed and sworn to before me</p> <p>17 this ____ day of _____, 20____.</p> <p>18</p> <p>19 _____</p> <p>20 Notary Public</p> <p>21 My Commission expires the</p> <p>22 ____ day of _____, 20____.</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 105</p>

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<p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF NEW YORK )</p> <p>4 ) ss.:</p> <p>5 COUNTY OF WESTCHESTER )</p> <p>6</p> <p>7 I, KATHLEEN T. KEILTY, a Certified</p> <p>8 Shorthand Reporter and Notary Public within</p> <p>9 and for the State of New York, do hereby</p> <p>10 certify:</p> <p>11 That KARIN MAISTRELLO, the witness whose</p> <p>12 testimony is hereinbefore set forth, was duly</p> <p>13 sworn/affirmed by me before testifying and</p> <p>14 that the foregoing transcript is a true record</p> <p>15 of said testimony.</p> <p>16 I further certify that I am not related</p> <p>17 to any of the parties to this action by blood</p> <p>18 or marriage, and that I am in no way</p> <p>19 interested in the outcome of this matter.</p> <p>20 IN WITNESS WHEREOF, I have hereunto set</p> <p>21 my hand this 4th day of September, 2019.</p> <p>22</p> <p>23 _____</p> <p>24 KATHLEEN T. KEILTY, C.S.R.</p> <p>25 License No. 000755</p> <p style="text-align: right;">Page 106</p>																																					
<p>1 ERRATA SHEET</p> <p>2 Page ____ of ____</p> <p>3 I, KARIN MAISTRELLO, wish to make the following</p> <p>4 changes to the foregoing transcript of my testimony</p> <p>5 taken on the 23rd day of August 2019, for the reasons</p> <p>6 cited below:</p> <table border="1"> <thead> <tr> <th>PG-LN</th> <th>CHANGE FRM/TO</th> <th>REASON</th> </tr> </thead> <tbody> <tr><td>7</td><td>_____</td><td>_____</td></tr> <tr><td>8</td><td>_____</td><td>_____</td></tr> <tr><td>9</td><td>_____</td><td>_____</td></tr> <tr><td>10</td><td>_____</td><td>_____</td></tr> <tr><td>11</td><td>_____</td><td>_____</td></tr> <tr><td>12</td><td>_____</td><td>_____</td></tr> <tr><td>13</td><td>_____</td><td>_____</td></tr> <tr><td>14</td><td>_____</td><td>_____</td></tr> <tr><td>15</td><td>_____</td><td>_____</td></tr> <tr><td>16</td><td>_____</td><td>_____</td></tr> <tr><td>17</td><td>_____</td><td>_____</td></tr> </tbody> </table> <p>18 _____</p> <p>19 KARIN MAISTRELLO</p> <p>20 Subscribed and sworn to before me</p> <p>21 this ____ day of _____, 20 ____.</p> <p>22</p> <p>23 _____</p> <p>24 NOTARY PUBLIC</p> <p>25 My Commission expires the ____ day</p> <p>of _____, 20 ____.</p> <p style="text-align: right;">Page 107</p>	PG-LN	CHANGE FRM/TO	REASON	7	_____	_____	8	_____	_____	9	_____	_____	10	_____	_____	11	_____	_____	12	_____	_____	13	_____	_____	14	_____	_____	15	_____	_____	16	_____	_____	17	_____	_____	
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